AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

THE NATIONAL ARCHIVES

LITTERA SCRIPTA MANET

FEDERAL REGISTER

OF THE UNITED STATES

1934

VOLUME 17 NUMBER 72

Washington, Friday, April 11, 1952

TITLE 7—AGRICULTURE

Chapter IX—Production and Marketing Administration (Marketing Agreements and Orders), Department of Agriculture

PART 998—IRISH POTATOES GROWN IN NEW JERSEY

ORDER TERMINATING MARKETING AGREEMENT AND ORDER AND PROVIDING FOR LIQUIDATION OF ASSETS

Pursuant to the applicable provisions of Public Act No. 10, 73d Congress, as amended and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), hereinafter referred to as the "act", and of Marketing Agreement No. 116 and Marketing Order No. 98 (7 CFR Part 998), hereinafter referred to as the "marketing agreement and order," regulating the handling of Irish potatoes grown in New Jersey, it is hereby found and determined that the provisions of said order will, on and after 11:59 p. m., e. s. t., April 30, 1952, no longer tend to effectuate the declared policy of the act.

It is therefore ordered, That subject to the terms and conditions which are set forth below, the provisions of said marketing agreement and order be, and they are hereby, terminated effective at 11:59 p. m., e. s. t., April 30, 1952, pursuant to section 8c (16) (A) of the act and § 998.79 (b) of the marketing agreement and order.

It is hereby further ordered, That the liquidation action in this instance shall be handled by the New Jersey Potato Marketing Committee (including members and alternates) as constituted at the effective time of the termination of said marketing agreement and order, and in accordance with the terms and conditions which are set forth therein for application to liquidation action, said terms and conditions being set forth in § 998.80. To implement such indicated terms and conditions, it is hereby further ordered as follows:

(1) Said committee members, as joint trustees, shall conduct the liquidation action subject to the general supervision and control of the Director, Fruit and Vegetable Branch, Production and Marketing Administration, United States Department of Agriculture, Washington, D. C.

(2) Said trustees shall keep books, and other appropriate records of their acts and transactions as trustees, which books and other records shall be subject, at any time, to examination by the Secretary or his designated representative.

(3) Any furniture, fixtures, or other personal property shall be sold by the trustees under such conditions and in such manner as may be approved in writing by the aforesaid Director of the Fruit and Vegetable Branch; and any funds derived from such sales shall become part of the liquid assets for distribution to handlers after all obligations have been paid.

(4) Any balance of money remaining in excess of liabilities shall be disbursed to persons who were handlers during the current fiscal year; and such disbursement shall be made to each handler in the proportion that his respective contribution to the assessment fund for that fiscal year bears to the total contributions to the assessment fund for the fiscal year by all handlers.

(5) Said trustees shall be reimbursed for expenses necessarily incurred by them in the performance of their duties hereunder.

(6) An alternate member of the committee shall act in the place and stead of the member for whom he is an alternate, during such member's absence. In the event of the death, removal, resignation, or disqualification of a member, his alternate shall act for him.

With respect to violations, rights accrued, or liabilities incurred under the marketing agreement and order being terminated, prior to the effective time of such termination action, all provisions of said marketing agreement and order in effect prior to the effective time of such termination action shall be deemed to continue in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with regard to any such violation, right, or liability.

Under date of February 20, 1952, there was issued an order (17 F. R. 1690) directing that a referendum be conducted among producers of Irish potatoes grown in the production area for the purpose of determining whether persons who were such producers during a representative period specified by the Secretary favored

(Continued on next page)

CONTENTS

Page

Agriculture Department
See Production and Marketing Administration.

Army Department
Notices:
Statement of organization and functions 3213

Commerce Department
See Federal Maritime Board; National Production Authority.

Customs Bureau
Rules and regulations:
Measurement of vessels; certification of spaces deductible from gross tonnage 3189
Relief from duties on merchandise lost, stolen, destroyed, injured, abandoned, or short-shipped; abatement or refund of duties 3190

Defense Department
See Army Department.

Defense Production Administration
Notices:
General Electric Co. et al.; request to participate in the formation and activities of a production committee 3216

Economic Stabilization Agency
See Price Stabilization, Office of.

Education, Office of
Rules and regulations:
Construction of school facilities in areas affected by Federal activities; deadline for applications for payments and order of certifications from funds available for fiscal year 1952 3210

Federal Communications Commission
Notices:
Theater television service; postponement of hearing 3216
Rules and regulations:
Frequency allocations and radio treaty matters, general rules and regulations; correction 3212

Federal Maritime Board
Notices:
Investigation of pooling and sailing agreements; rulings on motions 3215

FEDERAL REGISTER

Published daily, except Sundays, Mondays, and days following official Federal holidays, by the Federal Register Division, National Archives and Records Service, General Services Administration, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U. S. C., ch. 8B), under regulations prescribed by the Administrative Committee of the Federal Register, approved by the President. Distribution is made only by the Superintendent of Documents, Government Printing Office, Washington 25, D. C.

The regulatory material appearing herein is keyed to the Code of Federal Regulations, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended June 19, 1937.

The FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for $1.50 per month or $15.00 per year, payable in advance. The charge for individual copies (minimum 15¢) varies in proportion to the size of the issue. Remit check or money order, made payable to the Superintendent of Documents, directly to the Government Printing Office, Washington 25, D. C.

There are no restrictions on the republication of material appearing in the FEDERAL REGISTER.

CFR SUPPLEMENTS

(For use during 1952)

The following Supplements are now available:

Titles 4–5 ($0.45)

Title 20 ($0.45)

Title 26: Parts 170–182 ($0.55)

Title 26: Parts 183–299 ($1.75)

Previously announced: Title 3 (full text) ($3.50); Titles 10–13 ($0.35); Title 17 ($0.30); Title 18 ($0.35); Titles 22–23 ($0.40); Title 25 ($0.30)

Order from Superintendent of Documents, Government Printing Office, Washington 25, D. C.

CONTENTS—Continued

Federal Power Commission Page
Notices:
Hearings, etc.:
Alabama-Tennessee Natural Gas Co. 3217
El Paso Natural Gas Co. 3217
Gulf States Utilities Co. 3216
Maine Public Service Co. 3216
Maine Public Service Co. and Fraser Paper, Ltd. 3216
Transcontinental Gas Pipe Line Corp. 3217
Utah Power & Light Co. 3217

Federal Security Agency
See Education, Office of.

Interior Department
See National Park Service.

CONTENTS—Continued

Internal Revenue Bureau Page
Rules and regulations:
Collection of income tax at source on wages; miscellaneous amendments 3190

Interstate Commerce Commission
Rules and regulations:
Transfers of operating rights; transfers and contracts to operate for limited periods and the consideration involved therein 3212

Maritime Administration
Investigation of pooling and sailing agreements; rulings on motions (*see* Federal Maritime Board).

National Park Service
Rules and regulations:
Mammoth Cave National Park; fishing 3210

National Production Authority
Notices:
Victor Industries Corp. et al.; suspension order 3215

Price Stabilization, Office of
Notices:
Directors of District Offices, Region VII, redelegation of authority to process reports on proposed price-determining methods 3220
Regional Directors; delegation of authority to act under CPR 135—bakers, wholesale and retail distributors of frozen and perishable bakery items 3220
Rules and regulations:
Area milk price adjustments:
Milk marketing Areas 3, 4, 5, State of New Jersey (GCPR, SR 63, AMPR 18) 3204
Pennsylvania, southern New Jersey, and Newcastle County, Delaware, milk marketing area (GCPR, SR 63, AMPR 22) 3208
Bakers, wholesale and retail distributors of frozen and perishable bakery items (CPR 135) 3195
Excepted and suspended services; trailer accommodations (GOR 14) 3210
Manufacturers general ceiling price regulation; frozen bakery products and cookies (CPR 22) 3194
Revised ceiling prices of beef items sold at retail; miscellaneous amendments (CPR 25) 3195

Production and Marketing Administration
Notices:
Deposting of stockyards:
Columbia Livestock Market 3214
LaGrande Livestock Commission Co. 3215
Rules and regulations:
Potatoes, Irish, grown in New Jersey; termination of marketing agreement and liquidation of assets 3187

CONTENTS—Continued

Securities and Exchange Commission Page
Notices:
Hearings, etc.:
Alabama Power Co. et al. 3217
Columbia Gas System, Inc. 3218
New England Electric System 3219
Union Electric Co. of Missouri 3219
Rules and regulations:
Forms prescribed under the Public Utility Holding Company Act of 1925; form for registration and annual supplements 3189

Treasury Department
See Customs Bureau; Internal Revenue Bureau.

CODIFICATION GUIDE

A numerical list of the parts of the Code of Federal Regulations affected by documents published in this issue. Proposed rules, as opposed to final actions, are identified as such.

Title 7 Page
Chapter IX:
Part 998 3187

Title 17
Chapter II:
Part 259 3189

Title 19
Chapter I:
Part 2 3189
Part 15 3190

Title 26
Chapter I:
Part 405 3190

Title 32A
Chapter III (OPS):
CPR 22 3194
CPR 25 3195
CPR 135 3195
GCPR, SR 63, AMPR 18 3204
GCPR, SR 63, AMPR 22 3208
GOR 14 3210

Title 36
Chapter I:
Part 20 3210

Title 45
Chapter I:
Part 104 3210

Title 47
Chapter I:
Part 2 3212

Title 49
Chapter I:
Part 179 3212

the termination of the marketing agreement and order. The referendum conducted pursuant to the aforesaid referendum order developed that, of the producers who voted in such referendum, 59 percent by number favored or approved termination of said marketing agreement and order, and that such producers who favored or approved termination of said marketing agreement and order produced for market 51 percent of the production represented in the referendum.

It is hereby found and determined that it is impracticable and unnecessary to give preliminary notice and engage in public rule making procedure (5 U. S. C. 1001 et seq.) in that (1) interested potato producers have had an opportunity to express their preferences as to possible termination through the aforesaid referendum; (2) termination was favored by a majority of potato producers voting in the referendum; (3) no useful purpose would be served by continuing the marketing agreement and order beyond the termination date set forth above, as no regulation is in effect, and none is contemplated, during the remainder of the current fiscal period, and (4) interested handlers might be adversely affected if the expense of liquidation of the committee's assets was increased by reason of the delay inherent in further rule making proceedings.

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. and Sup. 608c)

Issued at Washington, D. C., this 8th day of April 1952.

[SEAL] CHARLES F. BRANNAN, *Secretary of Agriculture.*

[F. R. Doc. 52-4143; Filed, Apr. 10, 1952; 8:56 a. m.]

TITLE 17—COMMODITY AND SECURITIES EXCHANGES

Chapter II—Securities and Exchange Commission

PART 259—FORMS PRESCRIBED UNDER THE PUBLIC UTILITY HOLDING COMPANY ACT OF 1935

FORM FOR REGISTRATION AND ANNUAL SUPPLEMENTS

The Securities and Exchange Commission announces the following with respect to certain of the reporting requirements of Form U5S (§ 259.5s) (revised March 12, 1951) for the calendar year 1950 by public utility holding companies registered with the Commission pursuant to section 5 (a) of the Public Utility Holding Company Act of 1935, has disclosed the need for the clarification and interpretation of certain of the reporting requirements of such form.

Item 6. *Investment in system securities.* There has been considerable misunderstanding as to the nature of the information required to be reported for capital stocks under column (5) "Value Per Books of Issuer." Preferred stocks should be shown in column (5) at their par value or in the case of stocks without par value at their stated value. With respect to common stocks the amount reported should include capital surplus and earned surplus appropriated and unappropriated as well as the amounts recorded in the capital stock accounts in order to show the underlying book value. Appropriate footnotes should be made to underlying book value if the involuntary liquidating value of preferred stocks is other than their par or stated value and if there are any dividends in arrears on preferred stocks.

Instructions as to financial statements. Instruction 1 (a) which pertains to consolidating statements, contains the following requirements: "Only the consolidated statements and the corporate statements of the parent company included in the consolidating statements, and the schedules and notes in support of such consolidated and corporate statements, need be certified". Registrants are advised that this requirement with respect to certified consolidated and corporate financial statements may be satisfied by submission, as an additional exhibit to the annual report on the Revised Form U5S (§ 259.5s), of (a) a copy of the registrant's annual report to stockholders: *Provided*, That (i) the financial statements contained in the report to stockholders are prepared and certified in accordance with the requirements of Regulation S-X (Part 210) and (ii) the information called for in the consolidated and corporate schedules required by Form U5S is included in the report to stockholders or in the Federal Power Commission Forms 1 and 2 filed as exhibits to the Form U5S or (b) a copy of the financial statements and supporting schedules and notes, for the calendar year covered by the annual report on Revised Form U5S, contained in any registration statement filed by registrant with the Commission on Form S-1 (§ 239.11) pursuant to sections 5 and 6 of the Securities Act of 1933.

Instructions as to exhibits—Exhibit B. There has been some misunderstanding as to the requirements of Exhibit B. In the Revised form U5S (§ 259.5s), Exhibit B requires copies of all contracts of a continuing nature which are for service, sales or construction as defined in sections 2 (a) (19), 2 (a) (20) and 2 (a) (21) of the act. There is no distinction or exception made as to the character of the item of service, sales or construction beyond these definitions. This requirement is not limited to those contracts between companies within the holding company system which is the basis of Item 11 of the Revised Form U5S; but it extends to contracts, in which the annual consideration is $10,000 or more, of each registered holding company and each subsidiary thereof with any individual or company, affiliated or non-affiliated.

In connection with sales contracts it should be noted that section 2 (a) (20) of the act defining "sales contract" states "* * * As used in this paragraph the term 'property' does not include electric energy or natural or manufactured gas." This permits the exclusion from Exhibit B of contracts for the purchase, sale or interchange of electric energy; and for the purchase, sale or exchange of natural or manufactured gas.

A study of the requirements of Exhibit B is now in progress and some modification is under consideration. In the interim, registrants are advised that, until further notice, they may exclude from this exhibit copies of contracts for the lease of tabulating equipment and copies of contracts for the purchase of appliances for merchandising. Further, for those companies which file FPC Forms 1 and 2, this requirement may be satisfied in part by incorporating a specific reference to each contract which is fully described in certain schedules of those forms which schedules are entitled as follows:

"Service Contract Charges."

"Revenue from Transportation of Gas of Others."

"Sales of Products Extracted from Natural Gas."

Attention of registrants is again invited to Instruction 1 (b) of the General Instructions on page one of Form U5S which provides: "Any registered holding company which is required to file annual reports pursuant to section 13 or 15 (d) of the Securities Exchange Act of 1934 may file copies of its annual report on this form, or copies of the system report for the system of which it is a part, in lieu of filing an annual report on the form which would otherwise be appropriate. However, no registered holding company which is exempt from any of the reporting requirements of Form U5S shall use this form to satisfy the annual reporting requirements under said section 13 or 15 (d)."

(Sec. 20, 49 Stat. 833; 15 U. S. C. 79t)

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

APRIL 3, 1952.

[F. R. Doc. 52-4119; Filed, Apr. 10, 1952; 8:50 a. m.]

TITLE 19—CUSTOMS DUTIES

Chapter I—Bureau of Customs, Department of the Treasury

[T. D. 52969]

PART 2—MEASUREMENT OF VESSELS

CERTIFICATION OF SPACES DEDUCTIBLE FROM GROSS TONNAGE

In order to provide for greater uniformity and accuracy of certification legends, and to facilitate the marking of certifications required by section 4153 of the Revised Statutes, as amended (46 U. S. C. 77), § 2.49 (c), Customs Regulations of 1943 (19 CFR 2.49 (c)), is amended to read as follows:

(c) *Marking.* The following markings are required by paragraph (b) of this section: For each space appropriated exclusively for the use of the master, including the master's bathroom, bedroom, dressing room, observation room, office, reception room, sitting room and water closet—"Certified for the Accommodation of Master"; for each space appropriated exclusively as a bedroom for the use of crew members, including officers other than the master—"Certified to Accommodate _____ Seamen"; and for other deductible spaces—"Certified _____," inserting the appropriate designation such as—"Boatswain's Stores," "Chart House," "Dynamos," "Galley," "Hospital," "Messroom," "Office of Chief Engineer," "Pump Room," Radio," "Steering Gear," "W. C." The following abbreviations may be used: "Cert. Accom. Master," "Cert. Accom. _____ Seamen," "Cert. Boatswain's Stores," "Cert. Chart House," "Cert W. C." or "Cert. _____," inserting the space designation. The marking shall at all times be embossed, center-punched, or otherwise permanently cut in metal, and painted over with oil paint in a light color on a dark background, or a dark color on a light background, or carved or branded at least three-eighths of an inch in wood over the doorway, on the inside of the deductible space. Roman letters and Arabic numerals at least one-half of an inch in height shall be used and shall be readily legible at all times. If desired, the marking may be made on a plate of metal (but not of other material) per-

manently fastened in place by means of welding, riveting, or lock-type screws.

(R. S. 161, 4153, as amended, secs. 2, 3, 23 Stat. 118, as amended, 119, as amended, sec. 4, 28 Stat. 743, as amended; 5 U. S. C. 22, 46 U. S. C. 2, 3, 77, 79)

[SEAL] FRANK DOW,
Commissioner of Customs.

Approved: April 4, 1952.

JOHN S. GRAHAM,
Acting Secretary of the Treasury.

[F. R. Doc. 52-4132; Filed, Apr. 10, 1952; 8:55 a. m.]

[T. D. 52968]

PART 15—RELIEF FROM DUTIES ON MERCHANDISE LOST, STOLEN, DESTROYED, INJURED, ABANDONED, OR SHORT-SHIPPED

ABATEMENT OR REFUND OF DUTIES

Under existing regulations, except when the abatement or refund claimed is less than $25, applications for duty relief under the provisions of section 563 (a) of the Tariff Act of 1930, as amended (19 U. S. C. 1563 (a)), are submitted to the Commissioner of Customs for final determination.

In line with the Department's policy of increasing operating effectiveness in field offices of the Customs Service by delegations of authority, there is hereby delegated to collectors of customs the authority to determine in the first instance in all cases whether abatement or refund shall be made under the said section 563 (a). However, since final administrative decisions granting or denying relief under such section 563 (a) are not subject to judicial review, it is desirable that any applicant who has received an adverse decision be afforded an opportunity to obtain a review of the collector's decision by the office of the Commissioner of Customs. Accordingly, § 15.1, Customs Regulations of 1943 (19 CFR 15.1), is amended as follows:

1. Paragraph (e) is amended to read as follows:

(e) When the application and evidence specified in this section have been received and examined by the collector of customs, he shall determine whether the desired abatement or refund shall be made and notify the applicant of his decision.

2. A new paragraph, designated (f), reading as follows, is added:

(f) The applicant may file with the collector of customs a petition addressed to the Commissioner of Customs for a review of the collector's decision. Such petition shall be filed in duplicate within 30 days from the date of the notice of the collector's decision, shall completely identify the case, and shall set forth in detail the objections to the collector's decision. When such a petition has been filed, the collector shall promptly transmit both copies thereof and the entire file to the Bureau, together with a full statement of his views. When the Bureau's decision has been received, the collector shall proceed in conformity therewith.

3. The present paragraph (f) is redesignated (g) and is amended to read as follows:

(g) The collector may waive the production of any of the evidence above required if the validity of the claim is otherwise established to his satisfaction.

(Sec. 563, 46 Stat. 746, sec. 23, 52 Stat. 1088; 19 U. S. C. 1563)

[SEAL] D. B. STRUBINGER,
Acting Commissioner of Customs.

Approved: April 4, 1952.

JOHN S. GRAHAM,
Acting Secretary of the Treasury.

[F. R. Doc. 52-4131; Filed, Apr. 10, 1952; 8:55 a. m.]

TITLE 26—INTERNAL REVENUE

Chapter I—Bureau of Internal Revenue, Department of the Treasury

Subchapter D—Employment Taxes

[T. D. 5891; Regs. 116]

PART 405—COLLECTION OF INCOME TAX AT SOURCE ON WAGES

In order to conform Regulations 116 (26 CFR Part 405) to sections 201, 202, 204, 305, and 310 of the Revenue Act of 1951, approved October 20, 1951, such regulations are hereby amended as follows:

PARAGRAPH 1. There is inserted immediately preceding the caption "Sec. 209 (c) of the Social Security Act Amendments of 1950 * * *", as inserted by Treasury Decision 5828, approved January 22, 1951, as set forth preceding § 405.101, the following:

SEC. 305. COMPENSATION OF CERTAIN MEMBERS OF THE ARMED FORCES [REVENUE ACT OF 1951, APPROVED OCTOBER 20, 1951].

* * * * *

(c) *Withholding on wages.* Section 1621 (a) (1) (relating to definition of the term "wages") is hereby amended to read as follows:

(1) for active service as a member of the armed forces of the United States performed prior to January 1, 1954, in a month for which such member is entitled to the benefits of section 22 (b) (13), or.

(d) *Effective dates.* * * * The amendment made by subsection (c) shall be applicable with respect to wages paid after the tenth day following the date of the enactment of this act.

PAR. 2. Section 405.102 (b), as amended by Treasury Decision 5828, is further amended as follows:

(A) By inserting immediately after "November 1, 1950," in the second sentence "and before October 31, 1951," so that the sentence will read as follows: "Remuneration paid on or after November 1, 1950, and before October 31, 1951, for active service, as a member of the Armed Forces of the United States, performed in a month during any part of which such member served in a combat zone (as determined under section 22 (b) (13)) is excepted from the definition of the term 'wages' and is, therefore, not subject to withholding."

(B) By inserting immediately after such second sentence the following: "Remuneration paid on or after October 31, 1951, for active service, as a member of the Armed Forces of the United States, performed prior to January 1, 1954, in a month during any part of which such member served in such a combat zone or is hospitalized at any place as a result of wounds, disease, or injury incurred while serving in such a combat zone, is also excepted from the definition of the term 'wages' and is, therefore, not subject to withholding. The exception with respect to hospitalization is applicable, however, only if during all of such month there are combatant activities in some combat zone (as determined under section 22 (b) (13))."

PAR 3. There is inserted immediately preceding § 405.201 the following:

SEC. 201. PERCENTAGE METHOD OF WITHHOLDING [REVENUE ACT OF 1951, APPROVED OCTOBER 20, 1951].

Section 1622 (a) (relating to percentage method of withholding on wages) is hereby amended by inserting before the period at the end thereof the following: ", except that in the case of wages paid on or after November 1, 1951, and before January 1, 1954, the tax shall be equal to 20 per centum of such excess in lieu of 18 per centum".

SEC. 202. WAGE BRACKET WITHHOLDING [REVENUE ACT OF 1951, APPROVED OCTOBER 20, 1951].

So much of section 1622 (c) (1) as precedes the tables in such section is hereby amended to read as follows:

(1) (A) *Wages paid after October 31, 1951, and before January 1, 1954.* At the election of the employer with respect to any employee, the employer shall deduct and withhold upon the wages paid to such employee after October 31, 1951, and before January 1, 1954, a tax determined in accordance with the following tables, which shall be in lieu of the tax required to be deducted and withheld under subsection (a):

IF THE PAYROLL PERIOD WITH RESPECT TO AN EMPLOYEE IS WEEKLY

And the wages are—		And the number of withholding exemptions claimed is—										
At least—	But less than—	0	1	2	3	4	5	6	7	8	9	10 or more
		The amount of tax to be withheld shall be—										
$0	$13	20% of wages	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0
$13	$14	$2.70	.10	0	0	0	0	0	0	0	0	0
$14	$15	2.90	.30	0	0	0	0	0	0	0	0	0
$15	$16	3.10	.50	0	0	0	0	0	0	0	0	0
$16	$17	3.30	.70	0	0	0	0	0	0	0	0	0
$17	$18	3.50	.90	0	0	0	0	0	0	0	0	0
$18	$19	3.70	1.10	0	0	0	0	0	0	0	0	0
$19	$20	3.90	1.30	0	0	0	0	0	0	0	0	0
$20	$21	4.10	1.50	0	0	0	0	0	0	0	0	0
$21	$22	4.30	1.70	0	0	0	0	0	0	0	0	0
$22	$23	4.50	1.90	0	0	0	0	0	0	0	0	0
$23	$24	4.70	2.10	0	0	0	0	0	0	0	0	0
$24	$25	4.90	2.30	0	0	0	0	0	0	0	0	0
$25	$26	5.10	2.50	0	0	0	0	0	0	0	0	0
$26	$27	5.30	2.70	.20	0	0	0	0	0	0	0	0

IF THE PAYROLL PERIOD WITH RESPECT TO AN EMPLOYEE IS WEEKLY—Continued

And the wages are— At least—	But less than—	And the number of withholding exemptions claimed is— 0	1	2	3	4	5	6	7	8	9	10 or more
		The amount of tax to be withheld shall be—										
$27	$28	$3.50	$2.90	$0.40	$0	$0	$0	$0	$0	$0	$0	$0
$28	$29	3.70	3.10	.60	0	0	0	0	0	0	0	0
$29	$30	3.90	3.30	.80	0	0	0	0	0	0	0	0
$30	$31	4.10	3.50	1.00	0	0	0	0	0	0	0	0
$31	$32	4.30	3.70	1.20	0	0	0	0	0	0	0	0
$32	$33	4.50	3.90	1.40	0	0	0	0	0	0	0	0
$33	$34	4.70	4.10	1.60	0	0	0	0	0	0	0	0
$34	$35	4.90	4.30	1.80	0	0	0	0	0	0	0	0
$35	$36	5.10	4.50	2.00	0	0	0	0	0	0	0	0
$36	$37	5.30	4.70	2.20	0	0	0	0	0	0	0	0
$37	$38	5.50	4.90	2.40	0	0	0	0	0	0	0	0
$38	$39	5.70	5.10	2.60	0	0	0	0	0	0	0	0
$39	$40	5.90	5.30	2.80	.20	0	0	0	0	0	0	0
$40	$41	6.10	5.50	3.00	.40	0	0	0	0	0	0	0
$41	$42	6.30	5.70	3.20	.60	0	0	0	0	0	0	0
$42	$43	6.50	5.90	3.40	.80	0	0	0	0	0	0	0
$43	$44	6.70	6.10	3.60	1.00	0	0	0	0	0	0	0
$44	$45	6.90	6.30	3.80	1.20	0	0	0	0	0	0	0
$45	$46	7.10	6.50	4.00	1.40	0	0	0	0	0	0	0
$46	$47	7.30	6.70	4.20	1.60	0	0	0	0	0	0	0
$47	$48	7.50	6.90	4.40	1.80	0	0	0	0	0	0	0
$48	$49	7.70	7.10	4.60	2.00	0	0	0	0	0	0	0
$49	$50	7.90	7.30	4.80	2.20	0	0	0	0	0	0	0
$50	$51	8.10	7.50	5.00	2.40	0	0	0	0	0	0	0
$51	$52	8.30	7.70	5.20	2.60	0	0	0	0	0	0	0
$52	$53	8.50	7.90	5.40	2.80	.20	0	0	0	0	0	0
$53	$54	8.70	8.10	5.60	3.00	.40	0	0	0	0	0	0
$54	$55	8.90	8.30	5.80	3.20	.60	0	0	0	0	0	0
$55	$56	9.10	8.50	6.00	3.40	.80	0	0	0	0	0	0
$56	$57	9.30	8.70	6.20	3.60	1.00	0	0	0	0	0	0
$57	$58	9.50	8.90	6.40	3.80	1.20	0	0	0	0	0	0
$58	$59	9.70	9.10	6.60	4.00	1.40	0	0	0	0	0	0
$59	$60	9.90	9.30	6.80	4.20	1.60	0	0	0	0	0	0
$60	$62	10.20	9.60	7.10	4.50	1.90	0	0	0	0	0	0
$62	$64	10.60	10.00	7.50	4.90	2.30	0	0	0	0	0	0
$64	$66	11.00	10.40	7.90	5.30	2.70	.20	0	0	0	0	0
$66	$68	11.40	10.80	8.30	5.70	3.10	.60	0	0	0	0	0
$68	$70	11.80	11.20	8.70	6.10	3.50	1.00	0	0	0	0	0
$70	$72	12.20	11.60	9.10	6.50	3.90	1.40	0	0	0	0	0
$72	$74	12.60	12.00	9.50	6.90	4.30	1.80	0	0	0	0	0
$74	$76	13.00	12.40	9.90	7.30	4.70	2.20	0	0	0	0	0
$76	$78	13.40	12.80	10.30	7.70	5.10	2.60	0	0	0	0	0
$78	$80	13.80	13.20	10.70	8.10	5.50	3.00	.40	0	0	0	0
$80	$82	14.20	13.60	11.10	8.50	5.90	3.40	.80	0	0	0	0
$82	$84	14.60	14.00	11.50	8.90	6.30	3.80	1.20	0	0	0	0
$84	$86	15.00	14.40	11.90	9.30	6.70	4.20	1.60	0	0	0	0
$86	$88	15.40	14.80	12.30	9.70	7.10	4.60	2.00	0	0	0	0
$88	$90	15.80	15.20	12.70	10.10	7.50	5.00	2.40	0	0	0	0
$90	$92	16.20	15.60	13.10	10.50	7.90	5.40	2.80	.30	0	0	0
$92	$94	16.60	16.00	13.50	10.90	8.30	5.80	3.20	.70	0	0	0
$94	$96	17.00	16.40	13.90	11.30	8.70	6.20	3.60	1.10	0	0	0
$96	$98	17.40	16.80	14.30	11.70	9.10	6.60	4.00	1.50	0	0	0
$98	$100	17.80	17.20	14.70	12.10	9.50	7.00	4.40	1.90	0	0	0
$100	$105	18.50	17.90	15.40	12.80	10.20	7.70	5.10	2.60	0	0	0
$105	$110	19.50	18.90	16.40	13.80	11.20	8.70	6.10	3.60	1.00	0	0
$110	$115	20.50	19.90	17.40	14.80	12.20	9.70	7.10	4.60	2.00	0	0
$115	$120	21.50	20.90	18.40	15.80	13.20	10.70	8.10	5.60	3.00	.40	0
$120	$125	22.50	21.90	19.40	16.80	14.20	11.70	9.10	6.60	4.00	1.40	0
$125	$130	23.50	22.90	20.40	17.80	15.20	12.70	10.10	7.60	5.00	2.40	0
$130	$135	24.50	23.90	21.40	18.80	16.20	13.70	11.10	8.60	6.00	3.40	.90
$135	$140	25.50	24.90	22.40	19.80	17.20	14.70	12.10	9.60	7.00	4.40	1.90
$140	$145	26.50	25.90	23.40	20.80	18.20	15.70	13.10	10.60	8.00	5.40	2.90
$145	$150	27.50	26.90	24.40	21.80	19.20	16.70	14.10	11.60	9.00	6.40	3.90
$150	$160	29.00	28.40	25.90	23.30	20.70	18.20	15.60	13.10	10.50	7.90	5.40
$160	$170	31.00	30.40	27.90	25.30	22.70	20.20	17.60	15.10	12.50	9.90	7.40
$170	$180	33.00	32.40	29.90	27.30	24.70	22.20	19.60	17.10	14.50	11.90	9.40
$180	$190	35.00	34.40	31.90	29.30	26.70	24.20	21.60	19.10	16.50	13.90	11.40
$190	$200	37.00	36.40	33.90	31.30	28.70	26.20	23.60	21.10	18.50	15.90	13.40
$200 and over		20 percent of the excess over $200 plus—										
		$40.00	$37.40	$34.90	$32.30	$29.70	$27.20	$24.60	$22.10	$19.50	$16.90	$14.40

IF THE PAYROLL PERIOD WITH RESPECT TO AN EMPLOYEE IS BIWEEKLY

And the wages are— At least—	But less than—	And the number of withholding exemptions claimed is— 0	1	2	3	4	5	6	7	8	9	10 or more
		The amount of tax to be withheld shall be—										
$0	$26	20% of wages	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0
$26	$28	$3.40	.30	0	0	0	0	0	0	0	0	0
$28	$30	3.80	.70	0	0	0	0	0	0	0	0	0
$30	$32	4.20	1.10	0	0	0	0	0	0	0	0	0
$32	$34	4.60	1.50	0	0	0	0	0	0	0	0	0
$34	$36	5.00	1.90	0	0	0	0	0	0	0	0	0
$36	$38	5.40	2.30	0	0	0	0	0	0	0	0	0
$38	$40	5.80	2.70	0	0	0	0	0	0	0	0	0
$40	$42	6.20	3.10	0	0	0	0	0	0	0	0	0
$42	$44	6.60	3.50	0	0	0	0	0	0	0	0	0
$44	$46	7.00	3.90	0	0	0	0	0	0	0	0	0
$46	$48	7.40	4.30	0	0	0	0	0	0	0	0	0
$48	$50	7.80	4.70	0	0	0	0	0	0	0	0	0
$50	$52	8.20	5.10	0	0	0	0	0	0	0	0	0
$52	$54	8.60	5.50	.30	0	0	0	0	0	0	0	0
$54	$56	9.00	5.90	.70	0	0	0	0	0	0	0	0
$56	$58	9.40	6.30	1.10	0	0	0	0	0	0	0	0
$58	$60	9.80	6.70	1.50	0	0	0	0	0	0	0	0
$60	$62	10.20	7.10	1.90	0	0	0	0	0	0	0	0
$62	$64	10.60	7.50	2.30	0	0	0	0	0	0	0	0
$64	$66	11.00	7.90	2.70	0	0	0	0	0	0	0	0
$66	$68	11.40	8.30	3.10	0	0	0	0	0	0	0	0
$68	$70	11.80	8.70	3.50	0	0	0	0	0	0	0	0
$70	$72	12.20	9.10	3.90	0	0	0	0	0	0	0	0
$72	$74	12.60	9.50	4.30	0	0	0	0	0	0	0	0
$74	$76	13.00	9.90	4.70	0	0	0	0	0	0	0	0
$76	$78	13.40	10.30	5.10	0	0	0	0	0	0	0	0
$78	$80	13.80	10.70	5.50	.40	0	0	0	0	0	0	0
$80	$82	14.20	11.10	5.90	.80	0	0	0	0	0	0	0
$82	$84	14.60	11.50	6.30	1.20	0	0	0	0	0	0	0
$84	$86	15.00	11.90	6.70	1.60	0	0	0	0	0	0	0
$86	$88	15.40	12.30	7.10	2.00	0	0	0	0	0	0	0
$88	$90	15.80	12.70	7.50	2.40	0	0	0	0	0	0	0
$90	$92	16.20	13.10	7.90	2.80	0	0	0	0	0	0	0
$92	$94	16.60	13.50	8.30	3.20	0	0	0	0	0	0	0
$94	$96	17.00	13.90	8.70	3.60	0	0	0	0	0	0	0
$96	$98	17.40	14.30	9.10	4.00	0	0	0	0	0	0	0
$98	$100	17.80	14.70	9.50	4.40	0	0	0	0	0	0	0
$100	$102	18.20	15.10	9.90	4.80	0	0	0	0	0	0	0
$102	$104	18.60	15.50	10.30	5.20	.10	0	0	0	0	0	0
$104	$106	19.00	15.90	10.70	5.60	.50	0	0	0	0	0	0
$106	$108	19.40	16.30	11.10	6.00	.90	0	0	0	0	0	0
$108	$110	19.80	16.70	11.50	6.40	1.30	0	0	0	0	0	0
$110	$112	20.20	17.10	11.90	6.80	1.70	0	0	0	0	0	0
$112	$114	20.60	17.50	12.30	7.20	2.10	0	0	0	0	0	0
$114	$116	21.00	17.90	12.70	7.60	2.50	0	0	0	0	0	0
$116	$118	21.40	18.30	13.10	8.00	2.90	0	0	0	0	0	0
$118	$120	21.80	18.70	13.50	8.40	3.30	0	0	0	0	0	0
$120	$124	22.40	19.30	14.10	9.00	3.90	0	0	0	0	0	0
$124	$128	23.20	20.10	14.90	9.80	4.70	0	0	0	0	0	0
$128	$132	24.00	20.90	15.70	10.60	5.50	.40	0	0	0	0	0
$132	$136	24.80	21.70	16.50	11.40	6.30	1.20	0	0	0	0	0
$136	$140	25.60	22.50	17.30	12.20	7.10	2.00	0	0	0	0	0
$140	$144	26.40	23.30	18.10	13.00	7.90	2.80	0	0	0	0	0
$144	$148	27.20	24.10	18.90	13.80	8.70	3.60	0	0	0	0	0
$148	$152	28.00	24.90	19.70	14.60	9.50	4.40	0	0	0	0	0
$152	$156	28.80	25.70	20.50	15.40	10.30	5.20	0	0	0	0	0
$156	$160	29.60	26.50	21.30	16.20	11.10	6.00	.80	0	0	0	0
$160	$164	30.40	27.30	22.10	17.00	11.90	6.80	1.60	0	0	0	0
$164	$168	31.20	28.10	22.90	17.80	12.70	7.60	2.40	0	0	0	0
$168	$172	32.00	28.90	23.70	18.60	13.50	8.40	3.20	0	0	0	0
$172	$176	32.80	29.70	24.50	19.40	14.30	9.20	4.00	0	0	0	0
$176	$180	33.60	30.50	25.30	20.20	15.10	10.00	4.80	0	0	0	0
$180	$184	34.40	31.30	26.10	21.00	15.90	10.80	5.60	.50	0	0	0
$184	$188	35.20	32.10	26.90	21.80	16.70	11.60	6.40	1.30	0	0	0
$188	$192	36.00	32.90	27.70	22.60	17.50	12.40	7.20	2.10	0	0	0
$192	$196	36.80	33.70	28.50	23.40	18.30	13.20	8.00	2.90	0	0	0
$196	$200	37.60	34.50	29.30	24.20	19.10	14.00	8.80	3.70	0	0	0
$200	$210	41.00	35.90	30.70	25.60	20.50	15.40	10.20	5.10	0	0	0
$210	$220	43.00	37.90	32.70	27.60	22.50	17.40	12.20	7.10	2.00	0	0
$220	$230	45.00	39.90	34.70	29.60	24.50	19.40	14.20	9.10	4.00	0	0
$230	$240	47.00	41.90	36.70	31.60	26.50	21.40	16.20	11.10	6.00	.80	0
$240	$250	49.00	43.90	38.70	33.60	28.50	23.40	18.20	13.10	8.00	2.80	0
$250	$260	51.00	45.90	40.70	35.60	30.50	25.40	20.20	65.10	10.10	4.80	0

If the Payroll Period With Respect to an Employee Is Biweekly—Continued

And the wages are— At least—	But less than—	0	1	2	3	4	5	6	7	8	9	10 or more
		The amount of tax to be withheld shall be—										
$260	$270	$53.00	$47.90	$42.70	$37.60	$32.50	$27.40	$22.20	$17.10	$12.00	$6.80	$1.70
$270	$280	55.00	49.90	44.70	39.60	34.50	29.40	24.20	19.10	14.00	8.80	3.70
$280	$290	57.00	51.90	46.70	41.60	36.50	31.40	26.20	21.10	16.00	10.80	5.70
$290	$300	59.00	53.90	48.70	43.60	38.50	33.40	28.20	23.10	18.00	12.80	7.70
$300	$320	62.00	56.90	51.70	46.60	41.50	36.40	31.20	26.10	21.00	15.80	10.70
$320	$340	66.00	60.90	55.70	50.60	45.50	40.40	35.20	30.10	25.00	19.80	14.70
$340	$360	70.00	64.90	59.70	54.60	49.50	44.40	39.20	34.10	29.00	23.80	18.70
$360	$380	74.00	68.90	63.70	58.60	53.50	48.40	43.20	38.10	33.00	27.80	22.70
$380	$400	78.00	72.90	67.70	62.60	57.50	52.40	47.20	42.10	37.00	31.80	26.70
$400 and over		20 percent of the excess over $400 plus—										
		$80.00	$74.90	$69.70	$64.60	$59.50	$54.40	$49.20	$44.10	$39.00	$33.80	$28.70

If the Payroll Period With Respect to an Employee Is Semimonthly

And the wages are— At least—	But less than—	0	1	2	3	4	5	6	7	8	9	10 or more
		The amount of tax to be withheld shall be—										
$0	$28	20% of wages	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0
$28	$30	$5.80	.20	0	0	0	0	0	0	0	0	0
$30	$32	6.20	.60	0	0	0	0	0	0	0	0	0
$32	$34	6.60	1.00	0	0	0	0	0	0	0	0	0
$34	$36	7.00	1.40	0	0	0	0	0	0	0	0	0
$36	$38	7.40	1.80	0	0	0	0	0	0	0	0	0
$38	$40	7.80	2.20	0	0	0	0	0	0	0	0	0
$40	$42	8.20	2.60	0	0	0	0	0	0	0	0	0
$42	$44	8.60	3.00	0	0	0	0	0	0	0	0	0
$44	$46	9.00	3.40	0	0	0	0	0	0	0	0	0
$46	$48	9.40	3.80	0	0	0	0	0	0	0	0	0
$48	$50	9.80	4.20	0	0	0	0	0	0	0	0	0
$50	$52	10.20	4.60	0	0	0	0	0	0	0	0	0
$52	$54	10.60	5.00	0	0	0	0	0	0	0	0	0
$54	$56	11.00	5.40	0	0	0	0	0	0	0	0	0
$56	$58	11.40	5.80	.20	0	0	0	0	0	0	0	0
$58	$60	11.80	6.20	.70	0	0	0	0	0	0	0	0
$60	$62	12.20	6.60	1.10	0	0	0	0	0	0	0	0
$62	$64	12.60	7.00	1.50	0	0	0	0	0	0	0	0
$64	$66	13.00	7.40	1.90	0	0	0	0	0	0	0	0
$66	$68	13.40	7.80	2.30	0	0	0	0	0	0	0	0
$68	$70	13.80	8.20	2.70	0	0	0	0	0	0	0	0
$70	$72	14.20	8.60	3.10	0	0	0	0	0	0	0	0
$72	$74	14.60	9.00	3.50	0	0	0	0	0	0	0	0
$74	$76	15.00	9.40	3.90	0	0	0	0	0	0	0	0
$76	$78	15.40	9.80	4.30	0	0	0	0	0	0	0	0
$78	$80	15.80	10.20	4.70	0	0	0	0	0	0	0	0
$80	$82	16.20	10.60	5.10	0	0	0	0	0	0	0	0
$82	$84	16.60	11.00	5.50	0	0	0	0	0	0	0	0
$84	$86	17.00	11.40	5.90	.30	0	0	0	0	0	0	0
$86	$88	17.40	11.80	6.30	.70	0	0	0	0	0	0	0
$88	$90	17.80	12.20	6.70	1.10	0	0	0	0	0	0	0
$90	$92	18.20	12.60	7.10	1.50	0	0	0	0	0	0	0
$92	$94	18.60	13.00	7.50	1.90	0	0	0	0	0	0	0
$94	$96	19.00	13.40	7.90	2.30	0	0	0	0	0	0	0
$96	$98	19.40	13.80	8.30	2.70	0	0	0	0	0	0	0
$98	$100	19.80	14.20	8.70	3.10	0	0	0	0	0	0	0
$100	$102	20.20	14.60	9.10	3.50	0	0	0	0	0	0	0
$102	$104	20.60	15.00	9.50	3.90	0	0	0	0	0	0	0
$104	$106	21.00	15.40	9.90	4.30	0	0	0	0	0	0	0
$106	$108	21.40	15.80	10.30	4.70	0	0	0	0	0	0	0
$108	$110	21.80	16.20	10.70	5.10	0	0	0	0	0	0	0
$110	$112	22.20	16.60	11.10	5.50	0	0	0	0	0	0	0
$112	$114	22.60	17.00	11.50	5.90	.40	0	0	0	0	0	0
$114	$116	23.00	17.40	11.90	6.30	.80	0	0	0	0	0	0
$116	$118	23.40	17.80	12.30	6.70	1.20	0	0	0	0	0	0

If the Payroll Period With Respect to an Employee Is Semimonthly—Continued

And the wages are— At least—	But less than—	0	1	2	3	4	5	6	7	8	9	10 or more
		The amount of tax to be withheld shall be—										
$118	$120	$23.80	$18.20	$12.70	$7.10	$1.60	$0	$0	$0	$0	$0	$0
$120	$124	24.40	18.80	13.30	7.70	2.20	0	0	0	0	0	0
$124	$128	25.20	19.60	14.10	8.50	3.00	0	0	0	0	0	0
$128	$132	26.00	20.40	14.90	9.30	3.80	0	0	0	0	0	0
$132	$136	26.80	21.20	15.70	10.10	4.60	0	0	0	0	0	0
$136	$140	27.60	22.00	16.50	10.90	5.40	0	0	0	0	0	0
$140	$144	28.40	22.80	17.30	11.70	6.20	.60	0	0	0	0	0
$144	$148	29.20	23.60	18.10	12.50	7.00	1.40	0	0	0	0	0
$148	$152	30.00	24.40	18.90	13.30	7.80	2.20	0	0	0	0	0
$152	$156	30.80	25.20	19.70	14.10	8.60	3.00	0	0	0	0	0
$156	$160	31.60	26.00	20.50	14.90	9.40	3.80	0	0	0	0	0
$160	$164	32.40	26.80	21.30	15.70	10.20	4.60	0	0	0	0	0
$164	$168	33.20	27.60	22.10	16.50	11.00	5.40	0	0	0	0	0
$168	$172	34.00	28.40	22.90	17.30	11.80	6.20	.70	0	0	0	0
$172	$176	34.80	29.20	23.70	18.10	12.60	7.00	1.50	0	0	0	0
$176	$180	35.60	30.00	24.50	18.90	13.40	7.80	2.30	0	0	0	0
$180	$184	36.40	30.80	25.30	19.70	14.20	8.60	3.10	0	0	0	0
$184	$188	37.20	31.60	26.10	20.50	15.00	9.40	3.90	0	0	0	0
$188	$192	38.00	32.40	26.90	21.30	15.80	10.20	4.70	0	0	0	0
$192	$196	38.80	33.20	27.70	22.10	16.60	11.00	5.50	0	0	0	0
$196	$200	39.60	34.00	28.50	22.90	17.40	11.80	6.30	.70	0	0	0
$200	$210	41.00	35.40	29.90	24.30	18.80	13.20	7.70	2.10	0	0	0
$210	$220	43.00	37.40	31.90	26.30	20.80	15.20	9.70	4.10	0	0	0
$220	$230	45.00	39.40	33.90	28.30	22.80	17.20	11.70	6.10	.60	0	0
$230	$240	47.00	41.40	35.90	30.30	24.80	19.20	13.70	8.10	2.60	0	0
$240	$250	49.00	43.40	37.90	32.30	26.80	21.20	15.70	10.10	4.60	0	0
$250	$260	51.00	45.40	39.90	34.30	28.80	23.20	17.80	12.10	6.60	1.00	0
$260	$270	53.00	47.40	41.90	36.30	30.80	25.20	19.70	14.10	8.60	3.00	0
$270	$280	55.00	49.40	43.90	38.30	32.80	27.20	21.70	16.10	10.60	5.00	0
$280	$290	57.00	51.40	45.90	40.30	34.80	29.20	23.70	18.10	12.60	7.00	1.40
$290	$300	59.00	53.40	47.90	42.30	36.80	31.20	25.70	20.10	14.60	9.00	3.40
$300	$320	62.00	56.40	50.90	45.30	39.80	34.20	28.70	23.10	17.60	12.00	6.40
$320	$340	66.00	60.40	54.90	49.30	43.80	38.20	32.70	27.10	21.60	16.00	10.40
$340	$360	70.00	64.40	58.90	53.30	47.80	42.20	36.70	31.10	25.60	20.00	14.40
$360	$380	74.00	68.40	62.90	57.30	51.80	46.20	40.70	35.10	29.60	24.00	18.40
$380	$400	78.00	72.40	66.90	61.30	55.80	50.20	44.70	39.10	33.60	28.00	22.40
$400	$420	82.00	76.40	70.90	65.30	59.80	54.20	48.70	43.10	37.60	32.00	26.40
$420	$440	86.00	80.40	74.90	69.30	63.80	58.20	52.70	47.10	41.60	36.00	30.40
$440	$460	90.00	84.40	78.90	73.30	67.80	62.20	56.70	51.10	45.60	40.00	34.40
$460	$480	94.00	88.40	82.90	77.30	71.80	66.20	60.70	55.10	49.60	44.00	38.40
$480	$500	98.00	92.40	86.90	81.30	75.80	70.20	64.70	59.10	53.60	48.00	42.40
$500 and over		20 percent of the excess over $500 plus—										
		$100.00	$94.40	$88.90	$83.30	$77.80	$72.20	$66.70	$61.10	$55.60	$50.00	$44.40

If the Payroll Period With Respect to an Employee Is Monthly

And the wages are— At least—	But less than—	0	1	2	3	4	5	6	7	8	9	10 or more
		The amount of tax to be withheld shall be—										
$0	$56	20% of wages	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0
$56	$60	$11.60	.50	0	0	0	0	0	0	0	0	0
$60	$64	12.40	1.30	0	0	0	0	0	0	0	0	0
$64	$68	13.20	2.10	0	0	0	0	0	0	0	0	0
$68	$72	14.00	2.90	0	0	0	0	0	0	0	0	0
$72	$76	14.80	3.70	0	0	0	0	0	0	0	0	0
$76	$80	15.60	4.50	0	0	0	0	0	0	0	0	0
$80	$84	16.40	5.30	0	0	0	0	0	0	0	0	0
$84	$88	17.20	6.10	0	0	0	0	0	0	0	0	0
$88	$92	18.00	6.90	0	0	0	0	0	0	0	0	0
$92	$96	18.80	7.70	0	0	0	0	0	0	0	0	0
$96	$100	19.60	8.50	0	0	0	0	0	0	0	0	0
$100	$104	20.40	9.30	0	0	0	0	0	0	0	0	0
$104	$108	21.20	10.10	0	0	0	0	0	0	0	0	0

IF THE PAYROLL PERIOD WITH RESPECT TO AN EMPLOYEE IS MONTHLY—Continued

And the wages are—		And the number of withholding exemptions claimed is—										
At least—	But less than—	0	1	2	3	4	5	6	7	8	9	10 or more
		The amount of tax to be withheld shall be—										
$108	$112	$22.00	$20.90	$0	$0	$0	$0	$0	$0	$0	$0	$0
$112	$116	22.80	21.70	.60	0	0	0	0	0	0	0	0
$116	$120	23.60	22.50	1.40	0	0	0	0	0	0	0	0
$120	$124	24.40	23.30	2.20	0	0	0	0	0	0	0	0
$124	$128	25.20	24.10	3.00	0	0	0	0	0	0	0	0
$128	$132	26.00	24.90	3.80	0	0	0	0	0	0	0	0
$132	$136	26.80	25.70	4.60	0	0	0	0	0	0	0	0
$136	$140	27.60	26.50	5.40	0	0	0	0	0	0	0	0
$140	$144	28.40	27.30	6.20	0	0	0	0	0	0	0	0
$144	$148	29.20	28.10	7.00	0	0	0	0	0	0	0	0
$148	$152	30.00	28.90	7.80	0	0	0	0	0	0	0	0
$152	$156	30.80	29.70	8.60	0	0	0	0	0	0	0	0
$156	$160	31.60	30.50	9.40	0	0	0	0	0	0	0	0
$160	$164	32.40	31.30	10.20	0	0	0	0	0	0	0	0
$164	$168	33.20	32.10	11.00	0	0	0	0	0	0	0	0
$168	$172	34.00	32.90	11.80	.70	0	0	0	0	0	0	0
$172	$176	34.80	33.70	12.60	1.50	0	0	0	0	0	0	0
$176	$180	35.60	34.50	13.40	2.30	0	0	0	0	0	0	0
$180	$184	36.40	35.30	14.20	3.10	0	0	0	0	0	0	0
$184	$188	37.20	36.10	15.00	3.90	0	0	0	0	0	0	0
$188	$192	38.00	36.90	15.80	4.70	0	0	0	0	0	0	0
$192	$196	38.80	37.70	16.60	5.50	0	0	0	0	0	0	0
$196	$200	39.60	38.50	17.40	6.30	0	0	0	0	0	0	0
$200	$204	40.40	39.30	18.20	7.10	0	0	0	0	0	0	0
$204	$208	41.20	40.10	19.00	7.90	0	0	0	0	0	0	0
$208	$212	42.00	40.90	19.80	8.70	0	0	0	0	0	0	0
$212	$216	42.80	41.70	20.60	9.50	0	0	0	0	0	0	0
$216	$220	43.60	42.50	21.40	10.30	0	0	0	0	0	0	0
$220	$224	44.40	43.30	22.20	11.10	0	0	0	0	0	0	0
$224	$228	45.20	44.10	23.00	11.90	.80	0	0	0	0	0	0
$228	$232	46.00	44.90	23.80	12.70	1.60	0	0	0	0	0	0
$232	$236	46.80	45.70	24.60	13.50	2.40	0	0	0	0	0	0
$236	$240	47.60	46.50	25.40	14.30	3.20	0	0	0	0	0	0
$240	$248	48.80	47.70	26.60	15.50	4.40	0	0	0	0	0	0
$248	$256	50.40	49.30	28.20	17.10	6.00	0	0	0	0	0	0
$256	$264	52.00	49.90	29.80	18.70	7.60	0	0	0	0	0	0
$264	$272	53.60	52.50	31.40	20.30	9.20	0	0	0	0	0	0
$272	$280	55.20	54.10	33.00	21.90	10.80	0	0	0	0	0	0
$280	$288	56.80	55.70	34.60	23.50	12.40	1.20	0	0	0	0	0
$288	$296	58.40	57.30	36.20	25.10	14.00	2.80	0	0	0	0	0
$296	$304	60.00	58.90	37.80	26.70	15.60	4.40	0	0	0	0	0
$304	$312	61.60	60.50	39.40	28.30	17.20	6.00	0	0	0	0	0
$312	$320	63.20	62.10	41.00	29.90	18.80	7.60	0	0	0	0	0
$320	$328	64.80	63.70	42.60	31.50	20.40	9.20	0	0	0	0	0
$328	$336	66.40	65.30	44.20	33.10	22.00	10.80	0	0	0	0	0
$336	$344	68.00	66.90	45.80	34.70	23.60	12.40	1.20	0	0	0	0
$344	$352	69.60	68.50	47.40	36.30	25.20	14.00	2.80	0	0	0	0
$352	$360	71.20	69.10	49.00	37.90	26.80	15.60	4.50	0	0	0	0
$360	$368	72.80	71.70	50.60	39.50	28.40	17.20	6.10	0	0	0	0
$368	$376	74.40	73.30	52.20	41.10	30.00	18.80	7.70	0	0	0	0
$376	$384	76.00	74.90	53.80	42.70	31.60	20.40	9.30	0	0	0	0
$384	$392	77.60	76.50	55.40	44.30	33.20	22.00	10.90	0	0	0	0
$392	$400	79.20	78.10	57.00	45.90	34.80	23.60	12.50	1.40	0	0	0
$400	$420	82.00	79.90	59.80	48.70	37.60	26.40	15.30	4.20	0	0	0
$420	$440	86.00	84.90	63.80	52.70	41.60	30.40	19.30	8.20	0	0	0
$440	$460	90.00	88.90	67.80	56.70	45.60	34.40	23.30	12.20	1.10	0	0
$460	$480	94.00	92.90	71.80	60.70	49.60	38.40	27.30	16.20	5.10	0	0
$480	$500	98.00	96.90	75.80	64.70	53.60	42.40	31.30	20.20	9.10	0	0
$500	$520	102.00	100.90	79.80	68.70	57.60	46.40	35.30	24.20	13.10	2.00	0
$520	$540	106.00	104.90	83.80	72.70	61.60	50.40	39.30	28.20	17.10	6.00	0
$540	$560	110.00	108.90	87.80	76.70	65.60	54.40	43.30	32.20	21.10	10.00	0
$560	$580	114.00	112.90	91.80	80.70	69.60	58.40	47.30	36.20	25.10	14.00	2.90
$580	$600	118.00	116.90	95.80	84.70	73.60	62.40	51.30	40.20	29.10	18.00	6.90
$600	$640	124.00	122.90	101.80	90.70	79.60	68.40	57.30	46.20	35.10	24.00	12.90
$640	$680	132.00	126.90	109.80	98.70	87.60	76.40	65.30	54.20	43.10	32.00	20.90
$680	$720	140.00	138.90	117.80	106.70	95.60	84.40	73.30	62.20	51.10	40.00	28.90
$720	$760	148.00	136.90	125.80	114.70	103.60	92.40	81.30	70.20	59.10	48.00	36.90
$760	$800	156.00	144.90	133.80	122.70	111.60	100.40	89.30	78.20	67.10	56.00	44.90
$800	$840	164.00	152.90	141.80	130.70	119.60	108.40	97.30	86.20	75.10	64.00	52.90
$840	$880	172.00	160.90	149.80	138.70	127.60	116.40	105.30	94.20	83.10	72.00	60.90
$880	$920	180.00	168.90	157.80	146.70	135.60	124.40	113.30	102.20	91.10	80.00	68.90

IF THE PAYROLL PERIOD WITH RESPECT TO AN EMPLOYEE IS MONTHLY—Continued

And the wages are—		And the number of withholding exemptions claimed is—										
At least—	But less than—	0	1	2	3	4	5	6	7	8	9	10 or more
		The amount of tax to be withheld shall be—										
$920	$960	$188.00	$176.90	$165.80	$154.70	$143.60	$132.40	$121.30	$110.20	$99.10	$88.00	$76.90
$960	$1,000	196.00	184.90	173.80	162.70	151.60	140.40	129.30	118.20	107.10	96.00	84.90
$1,000 and over		20 percent of the excess over $1,000 plus—										
		$200.00	$188.90	$177.80	$166.70	$155.60	$144.40	$133.30	$122.20	$111.10	$100.00	$88.90

IF THE PAYROLL PERIOD WITH RESPECT TO AN EMPLOYEE IS A DAILY PAYROLL PERIOD OR A MISCELLANEOUS PAYROLL PERIOD

And the wages divided by the number of days in such period are—		And the number of withholding exemptions claimed is—										
At least—	But less than—	0	1	2	3	4	5	6	7	8	9	10 or more
		The amount of tax to be withheld shall be the following amount multiplied by the number of days in such period—										
$0	$2.00	20% of wages	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0
$2.00	$2.25	$0.40	.05	0	0	0	0	0	0	0	0	0
$2.25	$2.50	.45	.10	0	0	0	0	0	0	0	0	0
$2.50	$2.75	.50	.15	0	0	0	0	0	0	0	0	0
$2.75	$3.00	.55	.20	0	0	0	0	0	0	0	0	0
$3.00	$3.25	.60	.25	0	0	0	0	0	0	0	0	0
$3.25	$3.50	.65	.30	0	0	0	0	0	0	0	0	0
$3.50	$3.75	.70	.35	0	0	0	0	0	0	0	0	0
$3.75	$4.00	.75	.40	.05	0	0	0	0	0	0	0	0
$4.00	$4.25	.80	.45	.10	0	0	0	0	0	0	0	0
$4.25	$4.50	.85	.50	.15	0	0	0	0	0	0	0	0
$4.50	$4.75	.90	.55	.20	0	0	0	0	0	0	0	0
$4.75	$5.00	.95	.60	.25	0	0	0	0	0	0	0	0
$5.00	$5.25	1.00	.65	.30	0	0	0	0	0	0	0	0
$5.25	$5.50	1.05	.70	.35	0	0	0	0	0	0	0	0
$5.50	$5.75	1.10	.75	.40	.05	0	0	0	0	0	0	0
$5.75	$6.00	1.15	.80	.45	.10	0	0	0	0	0	0	0
$6.00	$6.25	1.20	.85	.50	.15	0	0	0	0	0	0	0
$6.25	$6.50	1.25	.90	.55	.20	0	0	0	0	0	0	0
$6.50	$6.75	1.30	.95	.60	.25	0	0	0	0	0	0	0
$6.75	$7.00	1.35	1.00	.65	.30	0	0	0	0	0	0	0
$7.00	$7.25	1.40	1.05	.70	.35	0	0	0	0	0	0	0
$7.25	$7.50	1.45	1.10	.75	.40	0	0	0	0	0	0	0
$7.50	$7.75	1.50	1.15	.80	.45	.05	0	0	0	0	0	0
$7.75	$8.00	1.55	1.20	.85	.50	.10	0	0	0	0	0	0
$8.00	$8.25	1.60	1.25	.90	.55	.15	0	0	0	0	0	0
$8.25	$8.50	1.65	1.30	.95	.60	.20	0	0	0	0	0	0
$8.50	$8.75	1.70	1.35	1.00	.65	.25	0	0	0	0	0	0
$8.75	$9.00	1.75	1.40	1.05	.70	.30	0	0	0	0	0	0
$9.00	$9.25	1.80	1.45	1.10	.75	.35	0	0	0	0	0	0
$9.25	$9.50	1.85	1.50	1.15	.80	.40	.05	0	0	0	0	0
$9.50	$9.75	1.90	1.55	1.20	.85	.45	.10	0	0	0	0	0
$9.75	$10.00	1.95	1.60	1.25	.90	.50	.15	0	0	0	0	0
$10.00	$10.50	2.05	1.70	1.30	.95	.60	.20	0	0	0	0	0
$10.50	$11.00	2.15	1.80	1.40	1.05	.70	.30	0	0	0	0	0
$11.00	$11.50	2.25	1.90	1.50	1.15	.80	.40	.05	0	0	0	0
$11.50	$12.00	2.35	2.00	1.60	1.25	.90	.50	.15	0	0	0	0
$12.00	$12.50	2.45	2.10	1.70	1.35	1.00	.60	.25	0	0	0	0
$12.50	$13.00	2.55	2.20	1.80	1.45	1.10	.70	.35	0	0	0	0
$13.00	$13.50	2.65	2.30	1.90	1.55	1.20	.80	.45	.10	0	0	0
$13.50	$14.00	2.75	2.40	2.00	1.65	1.30	.90	.55	.20	0	0	0
$14.00	$14.50	2.85	2.50	2.10	1.75	1.40	1.00	.65	.30	0	0	0
$14.50	$15.00	2.95	2.60	2.20	1.85	1.50	1.10	.75	.40	.05	0	0
$15.00	$15.50	3.05	2.70	2.30	1.95	1.60	1.20	.85	.50	.15	0	0
$15.50	$16.00	3.15	2.80	2.40	2.05	1.70	1.30	.95	.60	.25	0	0

IF THE PAYROLL PERIOD WITH RESPECT TO AN EMPLOYEE IS A DAILY PAYROLL PERIOD OR A MISCELLANEOUS PAYROLL PERIOD—Continued

And the wages divided by the number of days in such period are—		And the number of withholding exemptions claimed is—										
		0	1	2	3	4	5	6	7	8	9	10 or more
At least—	But less than—	The amount of tax to be withheld shall be the following amount multiplied by the number of days in such period—										
$16.00	$16.50	$3.25	$2.90	$2.50	$2.15	$1.80	$1.40	$1.05	$0.70	$0.35	$0	$0
$16.50	$17.00	3.35	3.00	2.60	2.25	1.90	1.50	1.15	.80	.45	.05	0
$17.00	$17.50	3.45	3.10	2.70	2.35	2.00	1.60	1.25	.90	.55	.15	0
$17.50	$18.00	3.55	3.20	2.80	2.45	2.10	1.70	1.35	1.00	.65	.25	0
$18.00	$18.50	3.65	3.30	2.90	2.55	2.20	1.80	1.45	1.10	.75	.35	0
$18.50	$19.00	3.75	3.40	3.00	2.65	2.30	1.90	1.55	1.20	.85	.45	.10
$19.00	$19.50	3.85	3.50	3.10	2.75	2.40	2.00	1.65	1.30	.95	.55	.20
$19.50	$20.00	3.95	2.60	3.20	2.85	2.50	2.10	1.75	1.40	1.05	.65	.30
$20.00	$21.00	4.10	3.75	3.35	3.00	2.65	2.25	1.90	1.55	1.20	.80	.45
$21.00	$22.00	4.30	3.95	3.55	3.20	2.85	2.45	2.10	1.75	1.40	1.00	.65
$22.00	$23.00	4.50	4.15	3.75	3.40	3.05	2.65	2.30	1.95	1.60	1.20	.85
$23.00	$24.00	4.70	4.35	3.95	3.60	3.25	2.85	2.50	2.15	1.80	1.40	1.05
$24.00	$25.00	4.90	4.55	4.15	3.80	3.45	3.05	2.70	2.35	2.00	1.60	1.25
$25.00	$26.00	5.10	4.75	4.35	4.00	3.65	3.25	2.90	2.55	2.20	1.80	1.45
$26.00	$27.00	5.30	4.95	4.55	4.20	3.85	3.45	3.10	2.75	2.40	2.00	1.65
$27.00	$28.00	5.50	5.15	4.75	4.40	4.05	3.65	3.30	2.95	2.60	2.20	1.85
$28.00	$29.00	5.70	5.35	4.95	4.60	4.25	3.85	3.50	3.15	2.80	2.40	2.05
$29.00	$30.00	5.90	5.55	5.15	4.80	4.45	4.05	3.70	3.35	3.00	2.60	2.25
$30 and over		20 percent of the excess over $30 plus—										
		$6.00	$5.65	$5.25	$4.90	$4.55	$4.15	$3.80	$3.45	$3.10	$2.70	$2.35

(B) *Wages paid after December 31, 1953.* At the election of the employer with respect to any employee, the employer shall deduct and withhold upon the wages paid to such employee after December 31, 1953, a tax determined in accordance with the following tables, which shall be in lieu of the tax required to be deducted and withheld under subsection (a):.

PAR. 4. There is inserted immediately preceding § 405.205 the following:

SEC. 310. GROSS INCOME OF DEPENDENT OF TAXPAYER [REVENUE ACT OF 1951, APPROVED OCTOBER 20, 1951].

(a) *Increase in amount of gross income permitted.* Section 25 (b) (1) (D) (relating to exemptions for dependents of taxpayer) is hereby amended by striking out "$500" and inserting in lieu thereof "$600".

(b) *Effective date.* The amendment made by subsection (a) shall be applicable only with respect to taxable years beginning after December 31, 1950.

PAR. 5. Section 405.205, as amended by Treasury Decision 5685, approved January 7, 1949, is further amended by striking from paragraph (f) (3) "$500" and inserting in lieu thereof "$600 (for taxable years beginning before January 1, 1951, $500)", so that such paragraph will read as follows:

(3) For the employee to be entitled on any day of the calendar year to a withholding exemption for an individual as a dependent, such individual must on such day be reasonably expected to receive less than $600 (for taxable years beginning before January 1, 1951, $500) of gross income for such calendar year * * *.

PAR. 6. Section 405.206, as amended by Treasury Decision 5685, is further amended as follows:

(A) By striking from paragraph (d) (3) "$500" and inserting in lieu thereof "$600 (for taxable years beginning before January 1, 1951, $500)", so that such paragraph will read as follows:

(3) The employee finds that an individual claimed as a dependent on a withholding exemption certificate will receive $600 (for taxable years beginning before January 1, 1951, $500) or more of gross income of his or her own during the current calendar year.

(B) By striking from paragraph (g) "$500" and inserting in lieu thereof "$600 (for taxable years beginning before January 1, 1951, $500)", so that such paragraph will read as follows:

(g) Thus, for example, a decrease in the number of withholding exemptions to which an employee is entitled at the beginning of the next taxable year under chapter 1 of the Internal Revenue Code results * * * when a dependent of the employee begins to receive income late in the year so that it is reasonable to expect that the dependent will have a gross income of $600 (for taxable years beginning before January 1, 1951, $500) or more for the ensuing year.

Because the amendments made by this Treasury decision merely conform Regulations 116 to amendments of the Internal Revenue Code and because those amendments are already effective with respect to the withholding of tax at source on wages, it is found that it is unnecessary to issue this Treasury decision with notice and public procedure thereon under section 4 (a) of the Administrative Procedure Act approved June 11, 1946, or subject to the effective date limitation of section 4 (c) of that act.

(53 Stat. 178, 467; 26 U. S. C. 1439, 3791)

[SEAL] JUSTIN F. WINKLE,
Acting Commissioner of Internal Revenue.

Approved: April 4, 1952.

THOMAS J. LYNCH,
Acting Secretary of the Treasury.

[F. R. Doc. 52-4045; Filed, Apr. 10, 1952; 8:45 a. m.]

TITLE 32A—NATIONAL DEFENSE, APPENDIX

Chapter III—Office of Price Stabilization, Economic Stabilization Agency

[Ceiling Price Regulation 22, Amdt. 46]

CPR 22—MANUFACTURERS GENERAL CEILING PRICE REGULATION

FROZEN BAKERY PRODUCTS AND COOKIES

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 638), this Amendment 46 to Ceiling Price Regulation 22 is hereby issued.

STATEMENT OF CONSIDERATIONS

The tailored regulation for the frozen and perishable bakery products industry, CPR 135, issued simultaneously with this amendment, fixes ceiling prices for frozen and perishable bakery products and describes cookies that are covered by that regulation. Prior to the issuance of CPR 135, sales by bakers of frozen bakery products were covered by CPR 22. The statement of considerations to CPR 135 explains why the frozen bakery products are to be henceforth under that regulation and not under CPR 22. In the case of cookies, no standards, based on the nature of the product, could be devised in order to determine whether a particular type of cookie should be covered by the tailored bakery regulation or by CPR 22. In the absence of such standards, coverage as to cookies has been determined by reference to the nature of the plant at which they are produced. Accordingly, CPR 135 provides, in substance, that if a plant is a perishable bakery products plant, sales of cookies baked at that plant are under that regulation. If, however, the plant is primarily a biscuit and cracker plant, sales of cookies manufactured at the plant are to be under CPR 22.

This amendment to paragraph (c) (15) of Appendix A reflects the changes resulting from the product coverage of CPR 135.

AMENDATORY PROVISIONS

Paragraph (c) (15) of Appendix A of Ceiling Price Regulation 22 is amended to read as follows:

(15) Frozen and perishable bakery product items within the following product categories: Bread and bread-type rolls; cakes, cookies and pastries; sweet yeast raised goods; doughnuts and crullers (all types); and pies; but not including semi-perishable dry bakery products such as crackers, biscuits, pretzels or such cookies baked by a manufacturer of semi-perishable dry bakery products as are exempt from Ceiling Price Regulation 135.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154.)

Effective date. This Amendment 46 to Ceiling Price Regulation 22 is effective May 10, 1952, or such earlier date between April 10, 1952 and May 10, 1952, as you may select.

ELLIS ARNALL,
Director of Price Stabilization.

APRIL 10, 1952.

[F. R. Doc. 52-4222; Filed, Apr. 10, 1952; 4:00 p. m.]

[Ceiling Price Regulation 25, Revised, Amdt. 3]

CPR 25—Revised Ceiling Prices of Beef Items Sold at Retail

MISCELLANEOUS AMENDMENTS

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161 (15 F. R. 6105), Economic Stabilization Agency General Order 2 (16 F. R. 738), Delegation of Authority by the Secretary of Agriculture to the Economic Stabilization Agency with respect to meat as amended (16 F. R. 11620) and Economic Stabilization Agency Order 5, Revision (16 F. R. 11875), this Amendment 3 to Ceiling Price Regulation 25, Revised, is hereby issued.

STATEMENT OF CONSIDERATIONS

This amendment makes two substantive changes in Ceiling Price Regulation 25, Revised.

(1) Prior to this amendment, CPR 25, Revised, allowed carcasses, sides, hinds and fores to be sold only by a retailer operating in conjunction with a locker plant under the conditions specified in section 13 (c). Permission to sell these primal cuts was limited to locker plants to preclude the possibility that sales of these cuts at wholesale might be made under the higher retail ceiling price schedules. However, it appears that this danger can be avoided by allowing these primal cuts to be sold only by retailers who have customarily made such sales in the past. Therefore, this amendment allows such retailers to sell these primal cuts as provided in section 13 (c).

(2) Prior to this amendment, a route truck seller of beef at retail was required to determine his store group under section 30 by considering his truck as a store and was required to use the ceiling prices applicable to his store group for the zone in which his truck operated. A survey of the best data available shows that route truck sellers have higher expenses of doing business than other retailers and that their historical markups were generally higher than for other reretailers. To compensate for their higher expenses and to insure them their customarily higher markups, this amendment provides that route truck sellers shall use the ceiling prices applicable to Groups 1 and 2 stores for the zone in which their truck operates. To these ceilings they may add 6 cents per pound. A person who sells beef to consumers from a truck and who does not meet the requirements specified for a route truck seller may not take the 6-cent addition but must continue to treat his truck as a store and determine his group classification under section 30. If such truck is one of several under one ownership, all the trucks must be considered stores under one ownership under that section.

In formulating this amendment, the Director of Price Stabilization has consulted extensively with industry representatives including trade association representatives, and has given full consideration to their recommendations. In his judgment, the provisions of this amendment are generally fair and equitable and are necessary to effectuate the purposes of Title IV of the Defense Production Act of 1950, as amended, and comply with all the applicable standards of that act.

AMENDATORY PROVISIONS

Ceiling Price Regulation 25, Revised, is amended in the following respects:

1. Section 13 (c) is amended to read as follows:

(c) *Wholesale beef cuts.* It shall not be considered an evasion for a retailer, whether or not operating in conjunction with a locker plant, who for six months prior to April 30, 1951, customarily sold to consumers beef carcasses, sides, forequarters or hindquarters for which ceiling prices have not been established in section 40 of this regulation, to sell such a wholesale cut to consumers. The price for such a wholesale cut shall not exceed $2.25 per cwt., more than the maximum price established in Ceiling Price Regulation 24 for such a wholesale cut of the same grade, if sold to a retailer by a wholesaler at the location of the retailer's store. However, the additions provided for in sections 41, 43, 44, 45 and 46 of Ceiling Price Regulation 24, may not be added to your ceiling price. Such retailers may charge, in addition to those ceiling prices, the prices determined under Ceiling Price Regulation 34 for such of their customary services—for example, freezing, cutting the wholesale cuts into smaller cuts, packaging, processing, or other similar services—as they provide to their customers.

2. Section 32 is amended by adding, immediately following section 32 (d) (2), the following paragraph:

(e) *Route truck sellers.* If you are a route truck seller, you shall treat each truck as a separate store. Your store group classification shall be Groups 1 and 2 and on each sale you may add 6 cents per pound to the ceiling prices applicable to Groups 1 and 2 stores in the zone in which your truck operates.

3. Section 50 is amended by adding, immediately following section 50 (m), the following definition:

(n) "Route truck seller means a person:

(1) Who makes sales of beef to consumers from stock carried in a truck;

(2) Whose first record of the transaction is made concurrently with the delivery of the beef sold;

(3) Who has sold beef in this manner at any time between January 1, 1950 and April 30, 1951;

(4) Who does not sell or deal in meat in any other manner.

4. Appendix 3 is amended by adding, immediately following Appendix 3 (p) the following definitions:

(q) *Beef carcass* means and is limited to two sides of beef or two hindquarters and two forequarters derived in either case from the same beef animal which shall be dressed in the following manner: The head shall be removed by disjointing at the socket joint (occipitoatlis). The hide shall be entirely removed. The belly shall be opened by cutting or sawing through the aitch bone (symphysis-pelvis) down the belly in a straight line to the center of the sternum bone and continuing through the sternum bone to the neck. All the viscera (not including the kidneys and the kidney fat) shall be removed. The heart (mediastinal) fat, caul fat and the sweetbreads from the neck shall be entirely removed. The front feet shall be detached at the lower knee (carpometacarpal) joint and the hind legs shall be detached at the hock (tarso-metatarsal joint). The tail shall be removed leaving not more than two tail (caudal) vertebrae remaining attached to the carcass.

In dressing cows the udders shall be entirely removed. In dressing steers, stags, and bulls the entire genito-urinary tract shall be removed. The carcass shall be separated into two sides by splitting or sawing the chine bones as nearly as possible through the center of the spinal column and spinous processes so that the spinal cord is fully exposed. The muscular portion of the skirt (diaphragm) shall be left, attached to the carcass but the non-muscular part (centrum tendineum) shall be trimmed so as to leave not more than ½ inch of it remaining adjacent to the red (muscle) meat. Bruises and grubs shall be trimmed out. The hanging tender shall be left on the carcass. The inside of the carcass shall be thoroughly cleaned by washing. The beef carcass shall not be broken in any other manner than as provided below.

(r) *Side of beef* means a hindquarter and forequarter separated or attached which are derived from one side of a beef animal and which have been dressed in accordance with the specifications applicable to "beef carcass".

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

Effective date. This Amendment 3 to Ceiling Price Regulation 25, Revised, is effective April 10, 1952.

Note: The record-keeping and reporting requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Ellis Arnall,
Director of Price Stabilization.

April 10, 1952.

[F. R. Doc. 52-4219; Filed, Apr. 10, 1952; 12:04 p. m.]

[Ceiling Price Regulation 135]

CPR 135—Bakers, Wholesale and Retail Distributors of Frozen and Perishable Bakery Items

Pursuant to the Defense Production Act of 1950, as amended (Pub. Law 774, 81st Cong., Pub. Law 96, 82d Cong.), Executive Order 10161, and Economic Stabilization Agency General Order No. 2, this Ceiling Price Regulation 135 is hereby issued.

STATEMENT OF CONSIDERATIONS

This regulation establishes ceiling prices for sales by bakers, wholesale distributors and retail distributors of perishable and frozen bakery items within the following product categories: bread and bread-type rolls; cakes, cookies and pastries; sweet yeast-raised goods; doughnuts and crullers; and pies.

Nature and importance of the industry; coverage of regulation. The perishable bakery product industry is of vital importance to the consumer, the farmer and the economy, generally. Consumers in this country are presently spending about $4,750,000,000 a year for its prod-

ucts. In terms of consumer spending, only the meat and poultry, fresh fruits and vegetables and dairy products industries are of greater consequence. Bread and bread-type rolls, in general, and white pan bread, in particular, are the most important items produced by the industry. Of the amounts spent by consumers on the industry's products, approximately 51 percent, or $2,436,000,000 is accounted for by bread and bread-type rolls; and of this amount, about 80 percent consists of sales to consumers of white pan bread. These facts indicate the significance of these items to the cost of living.

The industry comprises four major groups consisting of wholesale, retail, house-to-house and chain grocery store bakers. These groups are, in turn, generally subdivided according to the predominant nature of the bakery items sold (such as cake, pies or bread) and the size and number of units operated by a particular baker. These range in size from the very small family operated bakery to large mechanized plants with a large labor force and a wider area of distribution.

Because of the perishable and bulky nature of his items, the baker's area of distribution is, generally, local. Similarly, perishability makes it imperative for him to move his items from bakery or plant as quickly as possible. For these reasons, he ties his distribution operations closely to his baking operations in one of the following ways. First, and most commonly, he maintains his own vehicles and driver-salesmen personnel to sell his items along regular routes to grocers, restaurants, house-to-house to ultimate consumers, and the like. Second, he may sell his items to independent wholesale or retail distributors, commonly called "bobtailers", for route distribution. Third, he may distribute both by means of his own driver-salesmen and by means of "bobtailers". Because the "bobtailers" are so integral a part of the industry's distribution system, the coverage of this regulation has been extended to include them.

Generally speaking, bakers doing less than $100,000 business a year may experience difficulty in determining ceiling prices under this regulation because of lack of records. Accordingly, such bakers are given the option of using this regulation or of remaining under the General Ceiling Price Regulation (GCPR) or Supplementary Regulation (SR) 80 to the GCPR.

Frozen bakery items, that is, items sold in frozen form (either pre-baked or fully baked) are a relatively recent development in the industry. This type of product was introduced during World War II. This regulation covers frozen items because they are produced and sold by retail bakers and other specialty bakers subject to the regulation.

Restaurants, hotels and other eating establishments are bakers with respect to off-the-premises sales of items which they themselves bake. They must determine ceiling prices for such sales under this regulation, the GCPR or SR 80 to the GCPR, whichever is applicable to them.

Grocers and manufacturers of semi-perishable dry bakery products, such as biscuits and crackers, are exempt from this regulation. Generally speaking, grocers continue under the GCPR or CPRs 15 and 16 (in the case of cookies); and manufacturers of the semiperishable dry bakery products remain subject to Ceiling Price Regulation 22.

Basic pricing approach. This regulation is being issued to establish a level of ceiling prices for the industry which is generally fair and equitable; to remove price distortions existing under the GCPR and SR 80 to the GCPR; and to provide provisions tailored to the needs of the industry.

Under the standards adopted by this Office, ceiling prices, if they are to be deemed fair and equitable, must permit an industry to earn net profits before taxes and with adjustments for changes in net worth which are at least equal to 85 percent of average industry net profits during the three best years of the period 1946-1949. On the basis of information obtained from a survey of the industry and from other sources, it appears that the level of industry earnings, under the GCPR and SR 80 to the GCPR, is below this standard. To restore the industry to a position in which bakers, generally, can realize the level of profits required under the earnings standard, the regulation provides for an across-the-board increase of 16 percent in 1949 prices. The year 1949 was selected as the base period because it was the most recent year of normal business activity for the industry. The fixed percentage applied to 1949 prices reflects, among other things, the rate of cost increases in the industry generally from 1949 to approximately July 31, 1951. Furthermore, the fixed percentage reflects adjustments made for increases in certain costs, other than ingredient costs, since July 1951 to the present and for certain cost increases that will take place in the immediate future. As a result of these adjustments, it is expected that the ceiling prices established by this regulation for the industry in general will meet, for some time to come, the earnings standard upon which the regulation is based. Applying a fixed percentage was deemed practicable because survey data indicate that the rate of industry cost increases during this period was generally uniform throughout the country. The net effect of this regulation will be a slight increase in the present level of bread prices and a greater increase in present sweet goods price levels.

Self-calculation of adjustments was rejected for several reasons. First, it would result in a complex regulation placing an undue burden on individual bakers. The elaborate accounting systems and records required for this purpose, and the difficulties involved in computing various kinds of cost increases are fundamentally incompatible with the requirements of a regulation covering an industry with so large a number of small concerns. Applying a fixed factor, on the other hand, permits calculation of ceiling prices on the basis of elementary records and simplifies record keeping and reporting provisions. Second, prices, especially of bread and bread-type rolls, are uniform within trading areas. If self-calculation were applied, many different individual ceilings would result, making it difficult to reestablish area prices at an equitable level. Third, a self-calculating price regulation, in this complex industry consisting of many sellers, is difficult to administer and to enforce.

Bakers. For items sold during 1949, the baker calculates his ceiling price to his largest buying class of purchasers by first finding the highest price at which he sold the item to that class during 1949, and then multiplying that price by 1.16. The baker then calculates his ceiling prices to other classes of purchasers by applying his GCPR differentials. GCPR differentials rather than 1949 differentials are used because GCPR records are more readily available. Reports are required only of the ceiling prices for the baker's three best selling bread and bread-type roll items and no reports are required for his sweet goods items.

In the case of items not sold during 1949, new sellers and sales to new classes of purchasers, the sequence of pricing provisions used by bakers varies, depending upon whether the item is a white pan bread item or an item other than white pan bread. For white pan bread, the technique of borrowing competitors' ceiling prices is used because it is the most reliable and convenient method for these relatively standardized items. Reporting, of course, is required because the importance of white bread to the cost of living is such as to warrant notice to the OPS district office for its review. Other bakery items are less standardized and the baker may frequently bake new items with changes in season and for other reasons. Accordingly, the technique of applying markups from other items in the baker's line provides the most expedient way of calculating ceiling prices. However, if the baker is unable to use this technique, he may borrow a competitor's ceiling prices. No reporting is required for items other than white pan bread because it would impose a burden on bakers out of all proportion to the significance of the items to the cost of living. Reports are thus held to a minimum, and even where they are required the baker may immediately sell the items covered at his ceiling prices as soon as he has mailed his report. Furthermore, where a baker applies for a ceiling price because he cannot use other provisions of the regulation, he may sell the item after 15 days unless otherwise notified by his district OPS office. The provisions are thus tailored to the special problems of the industry and are relatively easy to apply.

Other sections of the regulation provide for weight adjustments to reflect changes in ceiling prices; ceiling price adjustments for sweet goods items to reflect increase in ingredient cost increases; a series of special provisions relating to uniform price line ceiling prices; and adjustments in the ceiling prices of low-end sellers.

The weight adjustment provisions permit the baker to increase or decrease the ceiling price of an item so long as he gives the consumer the same number of baked ounces per penny value as was previously required of him. However, such adjustments of ceiling prices are limited to cases of weight changes of no more than 15 percent, because a weight variation of a greater amount is likely to involve cost changes which would be more accurately reflected if the ceiling price of the item were calculated under the provisions for new items.

The provisions permitting changes in ceiling prices to reflect certain net changes in ingredient costs are restricted to sweet goods items. Sweet goods lines contain a wide variety of ingredients which are combined in a wide range of proportions. Consequently, self-calculation of adjustments in the ceiling prices of these items is the only practicable method of fixing ceiling prices which will permit the baker to pay up to parity prices for the ingredients covered. No such adjustments are provided for bread and bread-type rolls. Generally speaking, since ingredients represent a relatively small proportion of total bread and bread-type roll costs, sharp and substantial changes in ingredient costs must occur before there are significant changes in unit costs. Moreover, since the items are relatively standardized, this Office can practically, and will, take appropriate action when changes in those costs are such that adjustments in ceiling prices are justified. Self-calculation of adjustments, on the other hand, may result in increases in ceiling prices which turn upon fortuitous circumstances, such as breaks in fractions of a cent, rather than upon cost changes which actually warrant changes in price. Because of the importance of bread and bread-type rolls to the cost of living, price changes, depending upon such circumstances, cannot be permitted.

Distributors. Information presented to this Office indicates that distributors customarily realize percentage markups over costs of acquisition. The provisions of this regulation permit them to continue to do so. Generally speaking, the percentage markups realized or applied under this regulation are GCPR percentage markups. These markups, rather than markups during May–June 1950, are used for two reasons. First, applying more recent markups will be more convenient for distributors. Second, according to representations of members of the industry, there has not been a substantial change since May–June 1950, in the distributors' percentage markups. Should data indicate the contrary, steps will be taken to amend the distributors' provisions.

FINDINGS OF THE DIRECTOR

In the formulation of this regulation, the Director of Price Stabilization has consulted with industry representatives, including trade association representatives, to the extent practicable and has given full consideration to their recommendations. In the Director's judgment the ceiling prices established by this regulation are generally fair and equitable and are necessary to effectuate the purposes of Title IV of the Defense Production Act of 1950, as amended.

Every effort has been made to conform this regulation to existing business practices, cost practices or methods, or means or aids to distribution. Insofar as any provisions of this regulation may operate to compel changes in the business practices, cost practices or methods, or means or aids to distribution, such provisions are found by the Director of Price Stabilization to be necessary to prevent circumvention or evasion of this regulation.

As far as practicable, the Director of Price Stabilization gave due consideration to the national effort to achieve maximum production in the furtherance of the objectives of the Defense Production Act of 1950, as amended; to parity prices and the other minimum requirements of the law, including prices prevailing during the period from May 24, 1950 to June 24, 1950, inclusive; to the standards set forth in sections 402 (d) and 402 (k) of the act; and to relevant factors of general applicability.

REGULATORY PROVISIONS

ARTICLE I—INTRODUCTORY PROVISIONS

Sec.
1.1 What this regulation does.
1.2 Provisions to be used.

ARTICLE II—BAKERS

CEILING PRICES FOR ITEMS SOLD DURING 1949

2.1 Ceiling prices for items sold during 1949.

CEILING PRICES FOR BAKERY ITEMS NOT SOLD DURING 1949, AND CEILING PRICES FOR NEW SELLERS AND SALES TO NEW CLASSES OF PURCHASERS

2.2 White pan bread.
2.3 Items other than white pan bread.
2.4 Individual authorization of ceiling prices.

ADJUSTMENTS OF WEIGHT FOR CHANGES IN CEILING PRICES AND ADJUSTMENTS OF CEILING PRICES FOR CHANGES IN INGREDIENT COSTS

2.5 Adjustment of weight to reflect changes in ceiling prices.
2.6 Adjustment in sweet goods ceiling prices for increases in ingredient costs.

UNIFORM PRICE LINE CEILING PRICES

2.7 Alternative method of calculating uniform price line ceiling prices.
2.8 Addition of items to a uniform price line.
2.9 Adjustment of weight to reflect changes in uniform price line ceiling prices.
2.10 Adjustment of uniform price line ceiling prices for increases in ingredient costs.

OTHER PROVISIONS FOR BAKERS

2.11 Notices of ceiling prices.
2.12 Individual adjustment of bread and bread-type roll ceiling prices.

ARTICLE III—WHOLESALE AND RETAIL DISTRIBUTORS

3.1 General method of determining ceiling prices.
3.2 Ceiling prices for distributors unable to price under section 3.1.
3.3 Individual authorization of ceiling prices.
3.4 Changes in ceiling prices to reflect changes in your supplier's ceiling prices.
3.5 Notices of ceiling prices.

ARTICLE IV—GENERAL PROVISIONS

Sec.
4.1 Fractions of a cent.
4.2 Excise, sales or similar taxes.
4.3 Modification of ceiling prices by the Director of Price Stabilization.
4.4 Records.
4.5 Sales slips and receipts.
4.6 Transfer of business.
4.7 Adjustable pricing.
4.8 Interpretations.
4.9 Petitions for amendment.
4.10 Prohibitions and violations.
4.11 Evasions.
4.12 Supplementary regulations.
4.13 Definitions.

AUTHORITY: Sections 1.1 through 4.13 issued under sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154. Interpret or apply Title IV, 64 Stat. 803, as amended; 50 U. S. C. App. Sup. 2101–2110, E. O. 10161, Sept. 9, 1950, 15 F. R. 6105; 3 CFR, 1950 Supp.

ARTICLE I—INTRODUCTORY PROVISIONS

SECTION 1.1 *What this regulation does*—(a) *Coverage.* This regulation establishes ceiling prices for sales by bakers, wholesale distributors and retail distributors of perishable and frozen bakery items falling within the following product categories: bread and bread-type rolls; cakes, cookies and pastries; sweet yeast-raised goods; doughnuts and crullers; and pies.

(b) *Exemptions.* The following sales are exempt from this regulation:

(1) Sales of bakery items not specifically exempted by any subparagraphs of this paragraph if you are a baker (i) whose gross sales of bakery items for off-premises consumption at all selling establishments owned or operated by you were less than $100,000 during your last complete fiscal year prior to the effective date of this regulation; and (ii) you elect to be exempt from this regulation. The GCPR, SR 80 to the GCPR or such applicable regulation as may hereafter be issued governs your sales of bakery items if you are such a baker.

(2) Sales, except sales by retail distributors, of bakery items when purchased and resold to ultimate consumers or when purchased and served to ultimate consumers without in either case substantially changing the items. The term "retail distributors" is defined in section 4.13. If you bake some bakery items and sell them, and purchase and resell others without substantially changing them, this exemption does not extend to the former group. The sales which are exempt from this regulation include, but are not limited to, sales by a grocery store, restaurant, cafeteria, or hotel which purchases and resells a bakery item without substantially changing the item. Ceiling prices for these retail sales of perishable and frozen bakery items are fixed by the following regulations for the following kinds of sellers:

Kind of seller and Ceiling Price Regulation

Grocers: The GCPR (for sales of all bakery items except cookies); CPRs 15 and 16 (for sales of cookies).

Restaurants, cafeterias and hotels: CPR 134 (for sales or serving for on-premises consumption); the GCPR (for sales of all bakery items except cookies for off-premises consumption); the GCPR or CPRs 15 and 16, whichever is applicable (for sales of cookies for off-premises consumption).

The regulations listed above are those now in effect. Regulations, or amendments of existing regulations, hereafter issued may alter the coverage described above.

(3) Sales of holiday fruit cake. By virtue of Amendment 18 to the GCPR, prices for this item are not controlled.

(4) Sales of cookies by a biscuit and cracker manufacturer if: (i) The cookies were baked at a plant which produced semiperishable dry bakery products and (ii) the sales of semiperishable dry bakery products produced in the plant amounted, during his last completed fiscal year prior to the effective date of this regulation, to 50 percent or more of the gross sales of products produced there. CPR 22 governs his sales of such cookies. Sales of such cookies by a person other than a manufacturer are governed by CPRs 14, 15 or 16, or the GCPR, whichever is applicable to him.

(5) Sales of cookies by a wholesale distributor if, prior to the effective date of this regulation, CPR 14 governed his sales of cookies. CPR 14 continues to govern his sales of cookies.

(c) *Where this regulation applies.* This regulation applies in the 48 States of the United States and the District of Columbia.

SEC. 1.2. *Provisions to be used.* If you are a baker you will find the sections which you use for calculating your ceiling prices in Article II of this regulation. If you are a wholesale distributor or a retail distributor of bakery items, you will find the sections which you use for calculating your ceiling prices in Article III of this regulation. If you are covered by this regulation, you must also read and comply with those general provisions of Article IV which apply to you.

ARTICLE II—BAKERS

CEILING PRICES FOR ITEMS SOLD DURING 1949

SEC. 2.1. *Ceiling prices for items sold during 1949*—(a) *Your largest buying class of purchasers.* Your ceiling price for an item to your largest buying class of purchasers is the highest price at which you sold the item to that class during the year 1949 multiplied by 1.16.

(b) *Other classes of purchasers: terms and conditions of sale.* You calculate your ceiling prices to other classes of purchasers by applying to your ceiling price, as calculated under paragraph (a) of this section, the most recent price differentials which you were required to have in effect under the regulation applicable to you during the 1-year period February 1, 1951, to February 1, 1952. Similarly, for each class of purchaser you must maintain the most recent delivery terms, cash, trade and volume discounts, allowances, premiums and extras, deductions and other terms and conditions of sale which you were required to have in effect, under the regulation applicable to you during the 1-year period February 1, 1951 to February 1, 1952.

Example. You are a baker whose largest dollar volume of sales of a 16-ounce loaf of rye bread is made to restaurants. As of February 1, 1952, you were under the GCPR. You wish to ascertain your ceiling price for the sale of a loaf of that bread to a retail store. You must first calculate your ceiling price for a sale of the item to restaurants. Assume that your highest price for the item to restaurants in 1949 was $0.12. Multiply $0.12 by 1.16. This gives you a price of $0.1392 which, when the fraction is rounded pursuant to section 4.1, gives you a ceiling price of $0.14 for a 16-ounce loaf of rye bread sold to a restaurant.

Assume, further, that your GCPR differential for sales to retail grocery stores is $0.01 more than your GCPR ceiling price for sales to restaurants. Adding this $0.01 GCPR differential to your ceiling price for restaurant sales, you find that your ceiling price for sales of a 16-ounce loaf of rye bread to a retail store is $0.15.

Example. You are a baker whose largest dollar volume of sales of a 16-ounce loaf of rye bread is made to retail grocery stores. As of February 1, 1952 you were pricing your rye bread under the GCPR. You wish to ascertain your ceiling price for the sale of 100 loaves of that bread to a wholesale distributor. Assume that your ceiling price for a sale of that item to a retail grocery store is $0.14. Assume, further, that your ceiling price, fixed under the GCPR, for sales to wholesale distributors is 20 percent off your retail grocery store prices. Your ceiling price upon the sale of 100 loaves to a wholesale distributor is $14.00 ($0.14 x 100) less a discount of $2.80 ($14.00 x 20) or $11.20.

(c) *Reports.* (1) You may not begin to sell any bread or bread-type roll item for which you are required to calculate ceiling prices under this section until you have sent by registered mail, return receipt requested, to your district OPS office a report on OPS Public Form No. 136 for your three best selling bread and bread-type roll items. Copies of this form are available at your district OPS office.

(2) You need not make reports of your ceiling prices for sweet goods items required to be calculated under this section. You may begin immediately to sell such sweet goods items as soon as you have calculated your ceiling prices for each of them. You must, of course, make the calculations and keep records thereof as required by section 4.4 of this regulation.

CEILING PRICES FOR BAKERY ITEMS NOT SOLD DURING 1949, AND CEILING PRICES FOR NEW SELLERS AND SALES TO NEW CLASSES OF PURCHASERS

SEC. 2.2. *White pan bread.*—(a) *Ceiling prices to one class of purchasers.* If you are unable to calculate a ceiling price for an item of white pan bread under section 2.1 because (1) you did not sell it at all in 1949, or (2) having sold it in 1949 to a class of purchasers, you now wish to sell it to a class of purchasers to which you were not selling it at any time during February 1, 1951, to February 1, 1952, or (3) because you were not in business in 1949, your ceiling price to a class of purchasers is the ceiling price under this regulation of your most closely competitive baker selling the same item to the same class of purchaser.

If you are a chain grocery store baking white pan bread which you sell in your retail stores, your most closely competitive baker must be another chain store which also bakes white pan bread for sale in its stores.

(b) *Ceiling prices to other classes of purchasers.* If, after you have borrowed the ceiling price of your most closely competitive baker for an item, you still have a class of purchasers for whom you do not have a ceiling price for that item, calculate your ceiling price for that class (1) by applying to the ceiling price you borrowed your most recent differentials for that class under paragraph (b) of section 2.1, or, if you have no such differentials, (2) by borrowing the differentials to that class used by the same competitive baker.

Example. You commenced doing business in 1950, and, consequently, you are unable to calculate your ceiling prices under section 2.1 for your 16-ounce loaf of white pan bread. As of February 1, 1952, your GCPR ceiling price for the sale of that loaf to wholesale distributors was $0.03 less than your GCPR ceiling price to grocers. Following the instructions of paragraph (a) of this section, you establish a ceiling price of $0.16 for the loaf to grocers by borrowing the ceiling price to grocers for the loaf of your most closely competitive baker. Then, following the directions of paragraph (b) of this section, you apply your GCPR differential of $0.03 to the $0.16 ceiling price and you arrive at a ceiling price of $0.13 for sales of the loaf to wholesale distributors.

Example. Assume the same facts except that you made no sales between February 1, 1951, and February 1, 1952, to wholesale distributors and, consequently, you have no differential for sales to them. Assume, further, that your most closely competitive baker sells the item to wholesale distributors at $0.02 less than his price to grocers. Following the instructions of paragraph (b) of this section, you borrow his $0.02 differential, apply it to his ceiling price of $0.16 to grocers (also borrowed by you under paragraph (a) of this section), and arrive at a ceiling price of $0.14 for your sales of the loaf to wholesale distributors.

(c) *Reports.* You may begin to sell the item to the class of purchasers for which you have calculated a ceiling price under this section as soon as you have sent by registered mail, return receipt requested, to your district OPS office a report containing the following information:

(1) Your name, the location of your plant, and whether you are a chain store baking white pan bread for sale in your retail stores.

(2) A description (including baked weight) of the item for which you are establishing a ceiling price under this section, and the class of purchasers for which you are establishing a ceiling price under this section.

(3) The ceiling price for the same white pan bread item under this regulation to other classes or purchasers which you had in effect prior to the date of mailing your report under this section. You must also state the section of this regulation under which such ceiling price was established.

(4) The ceiling price of the same white pan bread item to the same class of purchaser of your most closely competitive baker, a description of the item (including baked weight), his name and address and whether he is a chain store baking white pan bread for sale in his retail stores.

(5) If you determined your ceiling price under paragraph (a) of this section, your proposed ceiling price to the same class of purchasers to which your most closely competitive baker sells that item.

(6) If you determined your ceiling price under paragraph (b) of this section, the differential used in your calculations. You must also state whether the differential used is your most recent differential or the differential of your most closely competitive baker.

SEC. 2.3. *Items other than white pan bread.* If you are unable to calculate a ceiling price for an item other than white pan bread under section 2.1 because (1) you did not sell it at all in 1949, or (2) having sold it in 1949 to a class of purchasers, you now wish to sell it to a class of purchasers to which you were not selling it at any time during the period February 1, 1951 to February 1, 1952, or (3) because you were not in business in 1949, you shall calculate or establish a ceiling price for the item by the first of the following methods which you are able to use.

(a) *Method 1.* Apply to your current ingredient and wrapping material costs of the item being priced the percentage markup over the current ingredient and wrapping material costs of a comparison item. You do this as follows:

(1) Divide your ceiling price to your largest buying class of purchasers for the comparison item by your current ingredient and wrapping material costs for that item;

(2) Multiply your current ingredient and wrapping material costs of the item being priced by the figure obtained in (1) above:

(3) The result is your ceiling price for the item being priced to your largest buying class of purchasers.

(4) Calculate your ceiling price to any other class of purchasers by applying to the ceiling price found in (3) above the most recent differentials and other terms and conditions of sale to such class under paragraph (b) of section 2.1 above.

A "comparison item" means an item which (1) is in the same product category as the item being priced; and (2) has current ingredient and wrapping material costs which are the same as, or next lower (or if no such item, then next higher) than the current ingredient and wrapping material costs of the item being priced; and (3) has a ceiling price calculated under section 2.1 of this regulation.

(b) *Method 2.* (1) Borrow the ceiling price under this regulation of your most closely competitive baker selling the same item to the same class of purchasers. If, however, he does not sell the same item, borrow his ceiling price, per ounce, under this regulation to the same class of purchasers for a substantially similar item and multiply that price by the number of net baked ounces of the item being priced.

(2) Calculate your ceiling price to any other class of purchasers by applying to the ceiling price, found under (1) above, your most recent differentials and other terms and conditions of sale to such class under paragraph (b) of section 2.1.

(c) Your "most closely competitive baker" means a baker with whom you are in the most direct competition.

(d) The "same item" means an item which: (i) Has the same baked weight, form, topping or icing (or, in the case of pies, size and filling), and (ii) which, because of its similarity to your item, would be regarded by members of the baking industry as h. ving the same ingredients, dough, or batter (or, in the case of pies, filling) as the item being priced.

(e) A "substantially similar item" means an item which is not the same form or weight as the item being priced, but which does not vary by more than 15 percent from the weight of the item being priced; and which, if it were the sam3 form and weight, would be regarded as the same item as the item being priced.

SEC. 2.4. *Individual authorization of ceiling prices.* If you are unable to determine a ceiling price for an item under the foregoing provisions of this regulation, you may apply by registered mail, return receipt requested, to your district OPS office for the establishment of a ceiling price.

(a) Your application must contain the following information:

(1) Your name and whether you are a chain grocery store baking the item for sale in your retail stores.

(2) The location of the plant in which the item for which you desire a ceiling price is baked.

(3) A statement that your application is made under this section and the reason why you are unable to calculate a ceiling price under the other sections of this regulation.

(4) A description of the item for which you desire a ceiling price, including a list of ingredients and a description of wrapping materials which you use for it.

(5) Your current factory labor, ingredient and wrapping materials costs, per unit of the item.

(6) The ceiling price, calculated under this regulation, for your items which you consider most nearly like the item for which you are applying for a ceiling price, and your reasons for so considering them.

(7) The ceiling price for the most nearly similar item sold by your most closely competitive baker, his name and address and a description (including net baked weight) of that item; and, if you are a chain grocery store baking the item for sale in your retail stores, whether he is also a chain grocery store baking the item for sale in his stores.

(8) The ceiling price which you request for the item and your reasons for asking for that ceiling price.

(b) The Office of Price Stabilization will fix a ceiling price for the item which is in line with your ceiling prices for your most nearly similar items and your competitor's ceiling price for his most nearly similar item. You may not begin to sell the item until the Office of Price Stabilization has fixed a ceiling price for it. However, if you receive no notice of your ceiling price from the Office of Price Stabilization after 15 days from the date on which OPS received your application, as shown by return receipt, you may thereafter sell the item at your requested ceiling price unless or until notified to the contrary.

ADJUSTMENTS OF WEIGHT FOR CHANGES IN CEILING PRICES AND ADJUSTMENTS OF CEILING PRICES FOR CHANGES IN INGREDIENT COSTS

SEC. 2.5 *Adjustment of weight to reflect changes in ceiling prices.* (a) (1) At any time you may increase your ceiling price for an item provided you increase the net weight of the item to reflect the increase in ceiling price. You may also decrease the net weight of an item if you lower its ceiling price provided the decrease in net weight reflects no more than the decrease in the ceiling price.

(2) You are subject to two restrictions in adjusting the net weight of an item under this section. First, the total of all the increases you make in net weight of the item must not exceed by more than 15 percent the net weight at which you are required to sell the item at your ceiling price, as originally calculated under this regulation. Second, the proposed increase or decrease in ceiling price upon which you base your adjustment in net weight must be to a price which does not contain a fraction of a cent.

(b) To compute your adjusted net weight corresponding to the increased or decreased ceiling price at which you propose to sell your item, you do the following:

(1) First, divide the net weight at which you are required to sell your item by your current ceiling price (after rounding for fractions of a cent, as required by section 4.1. The resulting figure is your "weight adjustment factor".

(2) Then multiply your weight adjustment factor, determined under subparagraph (1) of this paragraph, by the increased or decreased ceiling price at which you propose to sell the item. The result is the adjusted net weight corresponding to your proposed ceiling price.

Example. Applying the applicable provision of this regulation, you calculate a price of 16.4 cents for your 16-ounce loaf of white pan bread which, when rounded for fractions of a cent, gives you a ceiling price of 16 cents for the loaf. A month after you calculated your ceiling price, you propose to increase your ceiling price to 17 cents. Your proposed net baked weight for the loaf is, therefore, your proposed ceiling price of 17 cents multiplied by the weight adjustment factor of 1.00 (that is, $\frac{16 \text{ cents}}{16 \text{ ounces}}$), or 17 ounces.

Example. Three months later you wish to increase your ceiling price to 19 cents. Applying your weight adjustment factor of 1.00 to this proposed 19 cents ceiling price, you compute a net baked weight of 19 ounces. Since a proposed weight of 19 ounces represents an increase of more than 15 percent above your original 16-ounce weight for the loaf, you are not permitted to price a 19-ounce loaf under this section of the regulation. Therefore, if you wish to sell a 19-ounce loaf of white pan bread, your ceiling price for that loaf must be fixed under section 2.2 or 2.4.

(c) *Reports.* (1) You may sell a bread or bread-type roll item at your increased or decreased ceiling price, as soon as you have sent by registered mail, return receipt requested, to your district OPS office, a report containing the following information:

(i) Your name;

(ii) The location of your plant or plants;

(iii) A description of the item;

(iv) The baked weight at which you are required to sell the item, under your ceiling price, as originally calculated.

(v) The ceiling price (before and after rounding of fractions) you used in determining your weight adjustment factor, and the section of this regulation under which such ceiling price was calculated;

(vi) Your weight adjustment factor;

(vii) Your new baked weight and your new ceiling price for the item.

SEC. 2.6. *Adjustment in sweet goods ceiling prices for increases in ingredient costs.*—(a) *What this section does.* Your ceiling price calculated or fixed under any of the foregoing sections of this regulation reflects, approximately, increases in your ingredient costs from 1949 to July 31, 1951. You may, however, adjust your ceiling price for any item other than bread or bread-type roll items for any net increase to you since July 31, 1951, of the cost of ingredients listed in Table A or made from one or more of such commodities.

TABLE A—LISTED COMMODITIES

Field crops:	Fruits—Contd.
Barley	Apricots
Buckwheat	Blackberries
Corn	Boysenberries
Oats	Cherries
Peanuts	Cranberries
Rye	Dates
Wheat	Figs
Livestock and Livestock Products:	Grapefruit
Butterfat	Grapes
Eggs	Lemons
Milk	Limes
Sugar crops:	Loganberries
Maple sirup	Olives
Maple sugar	Oranges and tangerines
Sugar beets	Peaches
Sugarcane sirup	Pears
Sugarcane	Pineapples (Florida)
Tree-nuts:	Plums
Almonds	Raspberries
Filberts	Strawberries
Pecans	Youngberries
Walnuts	Vegetables:
Miscellaneous:	Carrots
Honey	Celery
Peppermint oil	Onions
Spearmint oil	Sweet potatoes
Fruits:	Tomatoes
Apples	

(b) *Adjustment of sweet goods ceiling prices calculated under section 2.1.* If the ceiling price of your sweet goods item was calculated under section 2.1 and you wish to make the adjustment described in paragraph (a) of this section, do the following:

(1) For the 5-week period ending July 31, 1951, find the highest price you paid or incurred for a customary purchase of each ingredient used in the item. If you made no customary purchase of one or more of these ingredients, then, for such ingredient or ingredients, use the highest price paid or incurred during the 5-week period beginning August 1, 1951.

(2) Using the costs for each ingredient you obtained under subparagraph (1) and your formula for the item, determine what your total ingredient cost would be to prepare a batch for the item, and to prepare the amount of icing, topping and filling required for that batch. The terms "formula" and "batch" are defined in section 4.13. The formula you use in making this computation must be the last one you used during the 5-week period ending July 31, 1951, or the 5-week period beginning August 1, 1951, if you used the latter period for all or any one of your ingredients under subparagraph (1).

(3) Find your "original total ingredient cost", per unit of the item, by dividing your combined ingredient costs, found under subparagraph (2), by the number of units of the item yielded by that batch.

(4) Find the cost of your most recent customary purchase of each ingredient currently used by you in the item. You obtain the list of ingredients which you currently use the item from the last formula for the item you used at the time of your calculation. However, if an ingredient is not listen in Table A above or is not made from one or more of the commodities listed there, the cost you use must not exceed the highest price for the ingredient obtained under subparagraph (1).

(5) Using the cost of each ingredient obtained in subparagraph (4), you then obtain your "current total ingredient cost", per unit of the item, by dividing your combined ingredient costs for making a batch of the item and to prepare the amount of icing, topping and filling required for that batch by the number of units of the item yielded by the batch.

(6) Finally, from your current total ingredient cost, per unit of the item, obtained under subparagraph (5), subtract your original total ingredient costs per unit of the item (obtained under paragraph (3)). The result is the ingredient cost adjustment which you may add to your ceiling price, per unit of the item (before rounding for fractions of a cent), as originally calculated under this regulation.

Example. Your ceiling price to grocers (before rounding for fractions) for your 14-ounce angel cakes, as calculated under paragraph (a) of section 2.1 of this regulation, is $0.354 per cake. You wish to increase that price to reflect increases in the cost to you of ingredients used in baking the cake. You are currently using the same formula for the cake that you used on July 31, 1951. You calculate your ingredient cost adjustment and adjust your ceiling price as follows:

Step 1. First, you arrive at your original total ingredient cost of $0.1373 per 14-ounce angel cake as follows:

Ingredients called for by formula to prepare batch for the cake	Highest price paid for customary purchase of each ingredient during 5 weeks preceding July 31, 1951	Cost of each ingredient in the batch
	Per pound	
17 lbs. egg whites	$0.22	17×$0.22=$3.74
6 lbs. cake flour	.0675	6×$0.0675=$0.405
17 lbs. cane sugar	.0735	17×$0.0735=$1.2495

(1) Original combined ingredient cost of batch	$5.4945
(2) Batch yield (angel cakes)	40
(3) Original total ingredient cost per cake ($5.4945 divided by 40 angel cakes)	$0.1373

Step 2. You then arrive at your current total ingredient cost of $.1515 per 14-ounce angel cake as follows:

Ingredients called for by formula to prepare batch for the cake	Cost of most recent customary purchase of ingredients	Cost of each ingredient in the batch
	Per pound	
17 lbs. egg whites	$0.26	$4.420
6 lbs. cake flour	.0695	$0.417
17 lbs. cane sugar	.072	$1.224

(1) Current combined ingredient cost of batch	$6.061
(2) Batch yield (angel cakes)	40
(3) Current total ingredient cost per cake ($6.061 divided by 40)	$0.1515

Step 3. You obtain your ingredient cost adjustment of $0.0142 per 14-ounce angel cake by subtracting $0.1373 (your original total ingredient cost, per cake) from $0.1515 (your current total ingredient cost, per cake).

Step 4. You arrive at your adjusted ceiling price as follows:

$0.354 (ceiling price, per angel cake, before rounding for fractions of a cent)

+$0.0142 (ingredient cost adjustment, that is, $0.1515 minus $0.1373)

$0.3682 per angel cake (adjusted price before rounding for fractions of a cent)

or

$0.37 (adjusted ceiling price, after rounding for fractions of a cent)

(c) *Adjustment of sweet goods ceiling prices calculated or established under other sections of this regulation.* If the ceiling price of your sweet goods item was calculated or established under sections 2.3, 2.4 or 2.5 and you wish to make the adjustment described in paragraph (a) of this section, you calculate the increase in the same manner as an increase calculated under paragraph (b) of this section except that:

(1) In determining the cost of each ingredient under subparagraph (1) of paragraph (b), you use the highest price paid or incurred by you for a customary purchase of each such ingredient during the most recent 5-week period in which you did make such a purchase preceding the date on which you first offer the item for sale under section 2.3, 2.4 or 2.5, whichever is applicable. If (i) your ceiling price was originally calculated or otherwise established under section 2.3 or 2.4, and (ii) you then increased or decreased your ceiling price under section 2.5 to reflect a change in weight, then the 5-week period you use must be the 5 weeks preceding the date on which, after you have made your most recent adjustment under section 2.5, you first offered the item for sale.

(2) In determining your original ingredient costs, per unit of the item, under subparagraphs (2) and (3) of paragraph (b), use the formula you had in effect when you first offered the item for sale after calculating its ceiling price under section 2.3 or 2.4, whichever is applicable.

If, after you offered the item for sale, you subsequently adjusted your ceiling price under section 2.5 to reflect a change in weight, use the formula you had in effect when you first offered the item for

sale after making the most recent change in your ceiling price under section 2.5.

(3) If an ingredient is not listed in Table A or is not made from one or more of the commodities listed there, the current cost for that ingredient which you use in your calculations must not exceed the highest price you used under subparagraph (1) of this paragraph.

(d) *Effect of deletions from list in Table A.* A commodity may be deleted from the list set forth in Table A when the Director of Price Stabilization, after consultation with the Secretary of Agriculture, determined that the requirements of the Defense Production Act of 1950, as amended, are satisfied as to such commodity. When the Director of Price Stabilization takes that action, so that the commodity or ingredient made from one or more of such commodities is no longer covered by the list, the cost of such commodity or ingredient employed by you for computing your current combined ingredient costs under paragraph (b) or (c) of this section must not thereafter exceed the cost of the last customary purchase you made before the date of deletion. However, if you did not purchase the commodity or ingredient during the 5-week period preceding the date of deletion, the cost employed by you must not exceed the cost of the first customary purchase of the commodity or ingredient which you made on or after such date.

UNIFORM PRICE LINE CEILING PRICES

SEC. 2.7. *Alternative method of calculating uniform price line ceiling prices.* If you sold a uniform price line of items during 1949, and, at the present time, you are selling all, or substantially all, of the same items in that line, you will probably want to calculate a uniform price line ceiling price for the items sold both now and during 1949 under section 2.1 (a). You can then add to the line any items not sold during 1949 under section 2.8. However, if you were doing business during 1951, you may calculate uniform price line ceiling prices under this section rather than under section 2.1 (a). You will probably find it to your benefit to calculate uniform price line ceiling prices under this section under certain circumstances. Examples of such circumstances are:

(1) Where there has been a substantial change since 1949 in the nature of the items included in the line, the method of line pricing set forth in this section will permit you to reflect more accurately in your uniform price line ceiling price the relative sales value and costs of the items in the line.

(2) Where you are unable to determine ceiling prices for a uniform price line of items sold during 1949 under section 2.1 (a), either because you were not in business during 1949, or because, although in business during 1949, you did not sell the line of items to be priced during that year.

In applying the provisions of this section, you are subject to three restrictions. First, the uniform price line ceiling price must apply to all items included in your calculations. Second, all the items in your uniform price line must be included within one product category. Third, none of the items in the uniform price line may be bread or bread-type rolls.

(a) *Your uniform price line ceiling price to your largest buying class of purchasers.* You calculate your uniform price line ceiling price by finding what your weighted average production value for the line would have been during the months of March, July and November, 1951, at the ceiling prices established under this regulation for the items included in that line. Consequently, to calculate your ceiling price to your largest buying class of purchasers, you do the following:

(1) Under the applicable provisions of this regulation, determine separately the ceiling price to your largest buying class of purchasers of each item you wish to include in your uniform price line. However, the items you include must be items you sold during March, July and November of the year 1951 (or your accounting periods corresponding to such months).

(2) Multiply the ceiling price per unit of each item by the number of units of that item which you baked during March, July and November of the year 1951 (or your accounting periods corresponding to such months). This gives you your "production value" of each item.

(3) Add together the production values you obtained under subparagraph (2) of this paragraph. This gives you your "total production value".

(4) Divide the total production value, obtained under subparagraph (3) of this paragraph, by the number of units of all items involved in arriving at that total production value. The result is your uniform price line ceiling price for all items involved in your calculations.

(b) *Your uniform price line ceiling prices to other classes of purchasers.* You calculate your uniform price line ceiling prices to any other class of purchasers by applying your differentials to such class under paragraph (b) of section 2.1 of this regulation.

SEC. 2.8. *Addition of items to a uniform price line.* After you have calculated a uniform price line ceiling price under section 2.1 or section 2.7, you may add items other than bread or bread-type rolls to the line, provided that the ingredient and wrapping materials costs for the item to be added are equal to or greater than these costs for the item having the lowest ingredient and wrapping materials cost in the uniform price line.

SEC. 2.9. *Adjustment of weight to reflect changes in uniform price line ceiling prices.* You may adjust the net weight of each item included in your line to reflect changes in your uniform price line ceiling price in the manner set forth in section 2.5 except that:

(a) The ceiling price you use in computing your weight adjustment factor is your uniform price line ceiling price.

(b) If you calculate, or have calculated, your uniform price line ceiling price under section 2.7, the ceiling prices you use in following the instructions in paragraph (a) (1) of section 2.7 must be ceiling prices calculated prior to any weight adjustment.

SEC. 2.10. *Adjustment of uniform price line ceiling prices for increases in ingredient costs.* You may adjust your uniform price line ceiling price to reflect increases in the costs to you of commodities (or ingredients processed therefrom) listed in Table A of section 2.6 above. To make this adjustment, do the following:

(a) Following the directions of the applicable provisions of section 2.6, determine the amount of your ingredient cost increase (or decrease) for each item in the uniform price line baked by you during the month (or your corresponding accounting period) preceding the date on which you make your computations.

(b) Multiply the amount of the ingredient cost increase (or decrease) for each such item, determined under paragraph (a) above by the number of units of that item baked by you during the month (or your corresponding accounting period) preceding the date on which you make your computations. This gives your "production cost increase" (or decrease) for each item in the uniform price line.

(c) Add together the production cost increases and the production cost decreases, and then from the increases subtract the decreases. The result is your "production cost increase for the line".

(d) Divide your production cost increase for the line by the number of baked units of items involved in determining that cost increase. The result is the ingredient cost adjustment which you may add to your uniform price line ceiling price (before rounding such ceiling price for fractions of a cent).

OTHER PROVISIONS FOR BAKERS

SEC. 2.11. *Notices of ceiling prices.* If you sell to a wholesale distributor or retail distributor, then before you put any ceiling price to him into effect, you must give him a written notice of ceiling prices with the following information:

(a) Your name and address;

(b) A list of the items you sell to him and your ceiling prices to him; and

(c) If he sells to the same class of purchasers as you do, you must also list your ceiling price to that class.

SEC. 2.12. *Individual adjustment of bread and bread-type roll ceiling prices*—(a) *Who may apply.* If, as a result of abnormal price relationships during 1949, your ceiling price for a bread or bread-type roll item, as calculated under this regulation, is substantially out of line with the ceiling prices for the same item of your most closely competitive bakers you may apply by registered mail, return receipt requested, to your district OPS Office for an adjustment to reflect the price relationships which existed during 1950–1951, or such other most recent period as may be representative.

(b) *Contents of the application.* You must submit the following information in your application

(1) For each bread and bread-type roll item included in your application:

(i) A description of the item (including, among other things, its baked weight);

(ii) Your ceiling price, as calculated under this regulation;

(iii) The highest price at which you sold the item, during 1949, to your largest buying class of purchasers.

(iv) Your requested ceiling price.

(2) The names and addresses of at least two of your most closely competitive bakers whose operations are most comparable to your operations, and a list of the same items baked by them and their ceiling prices. (If you operate chain grocery stores or other chain stores selling item baked by you, you must include at least one such chain store operator selling items baked by him in your list of most closely competitive bakers.)

(3) Price lists or other records to show the relationship of your selling prices for the items to your competitiors' prices during 1950 and 1951, or such other most recent period as you consider representative.

(4) A statement as to why the highest price at which you sold the item in 1949 was depressed; what period would be a period in which your prices were normal; and your reasons for selecting such period. You shall also submit such further information relating to your application for adjustment under this section as may be requested by your district OPS office.

(c) *Action to be taken by the Office of Price Stabilization.* (1) The Office of Price Stabilization may, upon filing of your application, adjust upward any or all of the bread or bread-type roll items for which you request adjustments.

(2) Such adjustments will be made on the basis of the following standards:

(i) The degree of abnormality of your selling prices during 1949, and

(ii) The price relationship, during 1950–1951 or other recent representative period, between the items covered by your application and the same items of your most closely competitive baker.

(3) You may not begin to sell the item at an adjusted ceiling price until the Office of Price Stabilization has fixed the adjusted ceiling price for you. However, if you receive no notice of your ceiling price from that office after 30 days from the date on which OPS received your application, as shown by return receipt, you may thereafter sell the item at your requested ceiling prices unless or until notified to the contrary.

ARTICLE III—WHOLESALE AND RETAIL DISTRIBUTORS

SEC. 3.1. *General method of determining ceiling prices.* If you are a wholesale distributor or retail distributor, your ceiling prices for your items are as follows:

(a) *When your supplier sells to the same class of purchasers as you do.* If your supplier sells the same item to the same class of purchasers as you do, your ceiling price for the item to that class of purchasers is your supplier's ceiling price to that class. "Your supplier" means the baker or wholesale distributor from whom you buy the item being priced.

(b) *When your supplier does not sell to the same class of purchasers as you do.* If your supplier does not sell an item to the same class of purchaser as you do, then you calculate your ceiling price for the item to your largest buying class of purchasers by applying your "highest percentage markup" for that item to your supplier's ceiling price to you. "Highest percentage markup" means your highest percentage markup for that item to your largest buying class of purchasers during the GCPR base period (December 19, 1950–January 25, 1951).

Example: You realized your highest markup during the GCPR base period for sales to grocers of a 2-pound angel cake when you marked up the price of 64 cents you paid your baker to a resale price of 80 cents. Consequently, your highest percentage markup is 25 percent $\left(\frac{\$0.16}{\$0.64}\right.$ (that is, $0.80 − $0.64) or 25 percent). Your baker's ceiling price to you under this regulation is 80 cents. Applying your 25 percent markup to your baker's ceiling price to you of 80 cents, you arrive at a markup of 20 cents. Your ceiling price for sales to grocers is 80 cents + 20 cents = $1.00.

(c) *Your ceiling prices to other classes of purchasers.* You calculate your ceiling price to another class of purchasers by applying the price differentials last used by you during the GCPR base period.

(d) *Maintenance of terms, discounts and allowances.* For each class of purchasers you must maintain all customary delivery terms, cash, trade and volume discounts, allowances, premiums and extras and other terms and conditions of sale which you had in effect during the GCPR base period.

SEC. 3.2. *Ceiling prices for distributors unable to price under section 3.1.* If you are unable to calculate a ceiling price for an item under section 3.1 because (1) you did not sell the item at all in the period December 19, 1950 to January 25, 1951; or (2) having sold it to a class of purchasers in that period, you now wish to sell it to a new class of purchasers; or (3) you have commenced doing business since January 25, 1951, you shall calculate or establish a ceiling price for the item by the first of the following methods which you are able to use.

(a) *Method 1.* Apply to your supplier's ceiling price to you for the item being priced your percentage markup to the same class of purchasers for a "comparison item." You do this as follows:

(1) Divide your ceiling price for a comparison item to your largest buying class of purchasers by your supplier's ceiling price to you for the comparison item. The resulting figure is your "markup factor".

(2) Multiply your supplier's ceiling price to you for the item being priced by your markup factor obtained under subparagraph (1).

(3) The resulting price you obtain under subparagraph (2) is your ceiling price to your largest buying class of purchasers.

(4) Calculate your ceiling price to any other class of purchasers in the same manner as set forth above except that you use your ceiling price for a comparison item to that class in arriving at your markup factor.

A "comparison item" means an item which (i) is in the same product category as the item being priced; for which (ii) you have calculated a ceiling price under section 3.1 of this regulation; and (iii) for which your supplier's ceiling price to you is the same or next lower, or if no such item, then next higher than your supplier's ceiling price to you for the item being priced.

(b) *Method 2.* (1) Borrow the ceiling price under this regulation of your "most closely competitive seller" selling the "same item" to the same class of purchasers. If, however, he does not sell the same item, borrow his ceiling price, per ounce, under this regulation for a "substantially similar item" to the same class of purchasers and multiply that price by the number of net baked ounces in the item being priced.

(c) Your "most closely competitive seller" means a seller with whom you are in the most direct competition and whose operations are most similar to yours.

(d) "Same item" and "substantially similar item" are defined in paragraph (b) (2) of section 2.3.

SEC. 3.3. *Individual authorization of ceiling prices.* (a) If you are unable to calculate a ceiling price for an item under any of the foregoing sections, you may apply by registered mail, return receipt requested, for the establishment of a ceiling price to your district OPS office. Your application must contain the following information:

(1) Your name and address.

(2) The area or areas in which you conduct your operations.

(3) A statement that your application is made under this section and the reason why you are unable to calculate a ceiling price under section 3.1 or 3.2.

(4) A list of the items for which you request establishment of ceiling prices and a description of them including the baked weight of each item.

(5) The name and address of your supplier of each item and his ceiling price to you for the item.

(6) A list of your items which you consider most nearly similar to the items for which you are requesting a ceiling price, your reasons for considering them most nearly similar and your ceiling prices for them.

(7) The name and address of your most closely competitive seller, a list of his items most nearly similar to the item for which you are requesting a ceiling price, your reasons for considering them most nearly similar, and his ceiling prices for them.

(8) Your proposed ceiling price for each of the items for which you are requesting a ceiling price.

(b) The Office of Price Stabilization will fix a ceiling price for the item which is in line with your ceiling prices for your most nearly similar items and your competitor's ceiling price for his most nearly similar item. You may not begin to sell the item at an adjusted ceiling price until the Office of Price Stabilization has fixed a ceiling price for it. However, if you receive no notice of your ceiling price from the Office after 15 days from the date on which OPS received your application, as shown by return receipt, you may thereafter sell the item at your proposed ceiling price unless or until notified to the contrary.

SEC. 3.4 *Changes in ceiling prices to reflect changes in your supplier's ceiling prices.* If your supplier increases his ceiling price to you, you may increase your ceiling price to reflect his increase. If your supplier decreases his ceiling price, you must decrease your ceiling price to reflect that decrease.

(a) *Items under paragraph (a) of section 3.1.* If you established your ceiling price under paragraph (a) of section 3.1, your new ceiling price to a class of purchaser is the same as your baker's new ceiling price to that class.

(b) *Items under any other section.* If you established your ceiling price under any other section of this regulation, you calculate your new ceiling prices for the item as follows:

(1) If your ceiling price was established under paragraph (b) of section 3.1, you recalculate your ceiling price by applying to your supplier's new ceiling price to you the same percentage markup you used in that paragraph.

(2) If your ceiling price was established under paragraph (a) of section 3.2, you recalculate your ceiling price by applying to your supplier's new ceiling price to you the markup factor you used in that paragraph.

(3) If your ceiling price was established under paragraph (b) of section 3.2 or if your ceiling price was established under section 3.3, you recalculate your ceiling price as follows:

(i) Divide your ceiling price, at the time of your recalculation, by your supplier's ceiling price for the item to you before he changed that price.

(ii) Multiply his new ceiling price to you by the result obtained under (i) above.

(iii) The result is your new ceiling price for the item.

SEC. 3.5. *Notices of ceiling prices.* If you sell to a wholesale distributor or a retail distributor, then before you put ceiling prices to him into effect, you must give him a written notice of ceiling prices with the following information:

(a) Your name and address.

(b) A list of the items you sell to him and your ceiling prices to him.

(c) If he sells to the same class of purchasers as you do, you must also list your ceiling price to that class.

ARTICLE IV—GENERAL PROVISIONS

SEC. 4.1. *Fractions of a cent.* All amounts involved in arriving at a ceiling price must be carried to four decimal places. Then, if any figured ceiling price contains a fraction of a cent, you may adjust such price to the next higher cent, if the fraction is one-half cent or more; and you must adjust such prices to the next lower cent if the fraction is less than one-half cent.

SEC. 4.2. *Excise, sales or similar taxes*—(a) *Where the tax is included in your selling or ceiling price.* (1) If your selling or ceiling price used by you in calculating a ceiling price or a markup includes any excise, sales or similar tax which is not separately stated, you must first ascertain the amount of such tax and deduct it from the prices used in your calculations. Your prices, with such taxes so deducted, may then be used by you in making any calculations of your ceiling price. After completing your calculations, you may then add the appropriate amount of such tax for inclusion as part of your ceiling price. In the case of any subsequent reduction or elimination of such tax subsequent to the time at which the selling or ceiling prices used in your calculations were in effect, you must reflect the appropriate amount of such reduction or elimination in your ceiling price. In the case of any increase in such a tax or of any similar tax first imposed, subsequent to the time at which the selling prices or ceiling prices used by you prevailed, you may include the appropriate amount of such increase in tax, or of the amount of the similar tax, as part of your ceiling price.

(2) If, subsequent to the establishment of any ceiling price which includes any excise, sales or similar tax, the amount of such tax is reduced or eliminated, you must recalculate and reduce your ceiling price to reflect the appropriate amount of the reduction in or elimination of such tax.

(3) If, subsequent to the establishment of any ceiling price, any excise, sales or similar tax is first imposed or any such tax, which had been included in your ceiling price, is increased, you may recalculate and increase your ceiling price to reflect the appropriate amount of such new tax or of the increase in such tax.

(b) *Where the tax is separately stated and collected.* If it has been your practice to state and collect any excise, sales or similar tax separately from your selling price, you may, in addition to your ceiling price determined under this regulation for the same or similar commodities for which this has been your practice, collect the amount of any such tax paid as such by you. In the case of any new excise, sales or similar tax which is not effective until after this regulation becomes effective as to you, you may in addition to your ceiling price, if not prohibited by the State law, state separately and collect the amount of such increase or new tax actually paid as such by you. A tax once stated separately from your ceiling price may not thereafter be included in your ceiling price under this regulation.

SEC. 4.3. *Modification of ceiling prices by the Director of Price Stabilization.* The Director of Price Stabilization may at any time request information concerning, or disapprove or reduce ceiling prices determined, reported or proposed under this regulation if:

(a) He finds that for any reason they were not properly fixed or are not in line with the level of ceiling prices established by this regulation, or

(b) You fail to submit information concerning a ceiling price covered by any report filed by you within 15 days after he requests, by mail, more information concerning such ceiling price, or

(c) He finds that information submitted by you in response to a previous request for information is inadequate or otherwise improper.

SEC. 4.4. *Records.* If you make sales covered by this regulation, you shall:

(a) Make and preserve for examination by the Office of Price Stabilization for two years from the date of such sale, all records of the kind you have customarily made relating to prices you charged for those sales; and

(b) Preserve for examination by the Office of Price Stabilization for as long as the Defense Production Act of 1950, as amended, remains in effect, and for two years thereafter, all your existing records which you are required to use in calculating your ceiling prices under this regulation.

SEC. 4.5. *Sales slips and receipts.* If you have customarily given a purchaser a sales slip, invoice or similar evidence of purchase, you shall continue to do so. Upon his request, you shall, regardless of previous custom, give the purchaser a receipt showing the date, your name and address, the name and quantity of each item sold, and the price received for it.

SEC. 4.6. *Transfer of business.* If the business, assets or stock in trade of any business are sold or otherwise transferred to you after the effective date of this regulation, your ceiling prices for the items covered by this regulation shall be the same as those which your transferor would have been required to use if no such transfer had taken place, and your obligation to keep records sufficient to verify such prices is the same. The transferor must either preserve and make available, or turn over to you all records of transactions prior to the transfer which he had and which are necessary to enable you to comply with the record provisions of this regulation.

SEC. 4.7. *Adjustable pricing.* Nothing in this regulation prohibits you from making a contract or offer to sell at (a) the ceiling price in effect at the time of delivery, or (b) the lower of a fixed price or the ceiling price in effect at the time of delivery. You may not, however, deliver or agree to deliver at a price to be adjusted upward in accordance with any increase in ceiling prices after delivery, unless authorized by the Office of Price Stabilization. Such authorization may be given when a request for a change in the applicable ceiling price is pending, but only if the authorization is necessary to promote distribution or production, and if it will not interfere with the purposes of the Defense Production Act of 1950, as amended. The authorization may be given by the Director of Price Stabilization or by any official of the Office of Price Stabilization having authority to act upon the pending request for a change in price or to give the authorization. The authorization may be given by order, except that it may be given by letter or telegram when the contemplated revision will be the granting of an individual application for adjustment.

SEC. 4.8. *Interpretations.* If you want an official interpretation of this regulation, you should write to the District Counsel of the proper OPS district office for an interpretation. Any action taken by you in reliance upon and in conformity with a written official interpretation will constitute action in good faith pursuant to this regulation. Further information on obtaining official interpreta-

tions is contained in Price Procedural Regulation 1, Revised (16 F. R. 4974).

SEC. 4.9. *Petitions for amendment.* If you wish to have this regulation amended, you may file a petition for amendment in accordance with the provisions of Price Procedural Regulation 1, Revised (16 F. R. 4974).

SEC. 4.10. *Prohibitions and violations.* (a) You shall not do any act prohibited or omit to do any act required by this regulation, nor shall you offer, solicit, attempt, or agree to do or omit to do any such acts. Specifically (but not in limitation of the above), you shall not, regardless of any contract or other obligation, sell, and no person in the regular course of trade or business shall buy from you, at a price higher than the ceiling prices established by this regulation, and you shall keep, make and preserve true and accurate records and reports, required by this regulation.

(b) If you violate any provisions of this regulation, you are subject to criminal penalties, enforcement action and action for damages.

(c) If any person subject to this regulation fails to prepare or keep any record or file any report required by this regulation in connection with the establishment of his ceiling price, or if any person subject to this regulation fails to establish a ceiling price or apply to the Office of Price Stabilization for the establishment of a ceiling price, if he is required to do so, the Director of Price Stabilization may issue an order fixing his ceiling prices. Any ceiling price fixed in this manner will be in line with ceiling prices generally established by this regulation. The order fixing the ceiling price may apply to all deliveries or transfers completed prior to the date of issuance of the order. The issuance of such an order will not relieve the seller of his obligation to comply with the requirements of this regulation or of the various penalties for failure to do so.

SEC. 4.11. *Evasions.* Any means or device which results in obtaining indirectly a higher price than is permitted by this regulation or in concealing or falsely representing information as to which this regulation requires records to be kept is a violation of this regulation. This prohibition includes, but is not limited to: means or devices making use of commissions; services; cross sales; transportation arrangements; premiums; discounts; special privileges; tie-in agreements and trade understandings; and short weighting.

SEC. 4.12. *Supplementary regulations.* The Director of Price Stabilization may issue supplementary regulations modifying or supplementing this regulation as he deems appropriate.

SEC. 4.13. *Definitions.* "Baker", with respect to an item, means a person who bakes ingredients to produce that item at a plant or on-the-premises retail bakery. If an enterprise consists of more than one plant or of more than one on-the-premises retail bakery, then each plant or bakery shall be deemed a separate baker with respect to an item produced at that plant or bakery.

"Batch" means the prepared dough or mix which is baked into the item being priced.

"Class of purchasers" means a purchaser or group of purchasers to whom you sell or offer to sell at a price different from the price or prices, if any, at which you sell any other purchaser or group of purchasers. Your practice of setting different prices to your buyers may be based on the general distributive function of your buyer or buyers (for instance, whether he is a wholesale distributor, retail distributor or retailer), or the particular nature of the business establishment of your buyer (for instance, grocer, restaurant or hotel, chain store). You may, in addition or in the alternative, base your practice on the location of your purchaser or on the quantity purchased by him. If you have followed the practice of giving an individual buyer a price differing from that charged others, he is a separate class of purchaser.

"Formula" means your recipe for the item, indicating, among other things, the list of ingredients and the amount of each ingredient used in preparing a batch for the item; the weight of the batch; the list of ingredients and the amount of each ingredient used in preparing the quantity of icing, topping and filling required for the batch; and the number of units of the item yielded by the batch.

"GCPR" means the General Ceiling Price Regulation, issued January 26, 1951, as amended.

"GCPR base period" means the period from December 19, 1950 to January 25, 1951.

"Item" or "bakery item" means a bakery product which is distinguishable from any other bakery product by any one or all of the following characteristics: baked weight; form; the ingredient and dough or batter from which it is produced, or type of packaging. Differences in topping, filling or icing may or may not result in different items, depending upon the standards of the baking industry and consumer opinion.

"Largest buying class of purchasers" means the class of purchasers which buys the largest dollar amount of the item being priced.

"On the premises retail bakery" means an establishment at which items are baked and sold at retail on the premises.

"Person" includes any individual, corporation, partnership, association or any other organized group of persons, or legal successors or representatives of the foregoing, and the United States or any other government or their political subdivisions or agencies.

"Product category" means one of the following categories: bread and bread-type rolls; cakes, cookies and pastries; sweet yeast raised goods; doughnuts and crullers (all types); and pies.

"Retail distributor" with respect to an item, means a person who purchases that item for resale to an ultimate consumer from a vehicle operated by him over a regular route.

"Wholesale distributor," with respect to an item, means a person who purchases that item for resale to a person other than an ultimate consumer.

"You" or "your" means any person whose sales are covered by this regulation.

"Your district OPS Office" means the District Office of the Office of Price Stabilization for the district in which your plant, or bakery is located, or, if you are a wholesale or retail distributor, for the district in which your headquarters is located.

Effective date. This regulation is effective for all your items on May 10, 1952. You may, however, select an earlier effective date between April 10, 1952, and May 10, 1952. If you select an earlier date with respect to any item, this regulation becomes effective as to you on that date for all your items.

NOTE: The record-keeping and reporting requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

ELLIS ARNALL,
Director of Price Stabilization.

APRIL 10, 1952.

[F. R. Doc. 52-4223; Filed, Apr. 10, 1952; 4:00 p. m.]

[General Ceiling Price Regulation, Supplementary Regulation 63, Area Milk Price Regulation 18]

GCPR, SR 63—AREA MILK PRICE ADJUSTMENTS

AMPR 18—MILK MARKETING AREAS 3, 4 AND 5, STATE OF NEW JERSEY

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), Delegation of Authority 41 (16 F. R. 12679), and Redelegation of Authority No. 18 (16 F. R. 12913), this area milk price regulation pursuant to Supplementary Regulation 63 to the General Ceiling Price Regulation, as amended (16 F. R. 9559; 17 F. R. 446, 893), is hereby issued.

STATEMENT OF CONSIDERATIONS

The General Ceiling Price Regulation issued on January 26, 1951, pointed out that the general freeze which it imposed on prices at all levels of production and distribution was an emergency measure made imperative by the urgency of bringing the inflationary spiral to a halt. On September 24, 1951, Supplementary Regulation 63 became effective permitting adjustments of ceiling prices for fluid milk products in individual marketing areas upon petition or upon the initiative of the appropriate District or Regional Director. Under the provisions of said regulation, marketing areas as established by any State milk control agency may be adopted by the Office of Price Stabilization as areas to be treated separately under area milk price regulation. Pursuant to this authority, this area milk price regulation is being issued adjusting ceiling prices for milk marketing areas 3, 4 and 5 for the State of New Jersey on sales of fluid milk within those areas by processors, and distributors and subdealers.

Milk Marketing Areas 3, 4 and 5 are established and defined by the Office of Milk Industry of the State of New Jersey. The boundaries of these areas have not been changed since the issuance of Official Order No. 40-20 on December 17, 1940 by the Milk Control Board of the State of New Jersey, the predecessor agency of the present Office of Milk Industry.

This regulation is issued on the basis of data obtained from milk processors and distributors who petitioned the Office of Price Stabilization for a milk price adjustment, from other representative milk processors and distributors and subdealers in the areas covered, and from the Office of Milk Industry of the State of New Jersey.

This regulation provides uniform dollars-and-cents ceiling prices. They have been determined by taking prices in effect during the period January 1, 1950 through June 30, 1950 and adding increases and deducting decreases in costs per sales point of:

(1) Raw milk,

(2) Direct labor (including distribution labor and commissions), and

(3) Cans, cases and containers.

The differentials provided between types of milk and geographic localities are the historic differentials in milk marketing areas 3, 4 and 5 for the State of New Jersey, as determined from the petitions submitted and from the Office of Milk Industry of the State of New Jersey.

The most important increases in costs were the increases in the cost of raw milk and of direct labor. The cost of raw milk increased by $.95 per hundredweight since the base period, when calculated from the official minimum producers prices established by the Office of Milk Industry of the State of New Jersey for Class I milk. This increase in the cost of raw milk was made prior to the "freeze period" of December 19, 1950 through January 25, 1951 and was included in the increase in selling prices put into effect prior to such "freeze period".

The increased direct labor costs affected primarily the costs of retail delivery to the home. The increase in direct labor costs associated with sales at wholesale and sales to subdealers was offset by the increases in selling prices put into effect prior to the General Ceiling Price Regulation freeze period. The provisions of Supplementary Regulation 63 to the General Ceiling Price Regulation did not permit any increase in the General Ceiling Price Regulation ceiling prices for such sales. Consideration of the additional cost of cans, cases, and containers did not change this conclusion.

This regulation indicates the prices for raw milk upon which the adjustments in ceiling prices are based. They are the current official minimum producers prices established by the Office of Milk Industry of the State of New Jersey for Class I milk. These prices are to be the basis for computing future parity adjustments. While some of the raw milk utilized for Class I milk items is brought in from outside the state, this method has been adopted since the greater portion of such raw milk is produced within the State of New Jersey; and, further, this policy follows the recommendation of the industry and the Office of Milk Industry of the State of New Jersey.

This regulation does not attempt to establish ceiling prices for milk products derived from Class II milk, such as cream, buttermilk, skim milk and cheese, which items shall remain, for the present, subject to the provisions of the General Ceiling Price Regulation; nor does it attempt to set ceiling prices for sales by the retail stores, which shall also remain subject to the provisions of the General Ceiling Price Regulation.

Every effort has been made to conform this regulation to existing business practices, costs practices or methods, or means or aids to distribution. Insofar as any provisions of this regulation may operate to compel changes in the business practices, costs practices or methods, or means or aids to distribution, such provisions are found by the District Director of the Office of Price Stabilization to be necessary to prevent circumvention or evasion of this regulation. The parity adjustments provided by this regulation are dependent on the official minimum producer prices established by the Office of Milk Industry of the State of New Jersey. This regulation maintains the pattern of stable year-round prices.

In the judgment of the District Director of the Office of Price Stabilization, the provisions of this area milk price regulation are generally fair and equitable and are necessary to effectuate the purpose of Title IV of the Defense Production Act of 1950, as amended by the Defense Production Act Amendments of 1951.

The District Director of the Office of Price Stabilization gave due consideration to the national effort to achieve maximum production in furtherance of the objectives of the Defense Production Act of 1950, as amended; to prices prevailing during the period from May 24, 1950 to June 24, 1950, inclusive; and to all relative factors of general applicability.

The Director has consulted the industry and has conferred with the milk industry advisory committee appointed for the areas involved to the extent practicable, and has given due consideration to their recommendations.

REGULATORY PROVISIONS

Sec.
1. What this area milk price regulation does.
2. Where this area milk price regulation applies.
3. Sellers and sales covered by this area milk price regulation.
4. Ceiling prices of listed items for processors and distributors and subdealers.
5. Ceiling prices of unlisted items for processors and distributors and subdealers.
6. Use of competitor's ceiling prices to establish your ceiling prices.
7. Sellers who cannot price under other sections of this regulation.
8. Producer prices.
9. Rounding of fractions.
10. Transfer of business or stock in trade.
11. Prohibitions.
12. Violations.
13. Definitions.

AUTHORITY: Sections 1 to 13 issued under sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154. Interpret or apply Title IV, 64 Stat. 803, as amended; 50 U. S. C. App. Sup. 2101-2110; E. O. 10161, Sept. 9, 1950, 15 F. R. 6105; 3 CFR, 1950 Supp.

SEC. 1. *What this area milk price regulation does.* This area milk price regulation, issued pursuant to Supplementary Regulation 63 to the General Ceiling Price Regulation, as amended, establishes ceiling prices for fluid milk (as defined in section 13) hereafter referred to as milk, when sold in Milk Marketing Areas 3, 4, and 5 as fixed by the Office of Milk Industry of the State of New Jersey. It provides adjusted uniform ceiling prices for the listed milk in designated types and sizes of containers. It also provides a method for determining ceiling prices for the listed milk items sold in containers of other types and sizes and to other classes of purchasers, as well as ceiling prices of unlisted milk items.

SEC. 2. *Where this area milk price regulation applies.* The provisions of this area milk price regulation are applicable to the Milk Marketing Areas Numbers 3, 4, and 5, as fixed by the Office of Milk Industry of the State of New Jersey.

(a) Milk Marketing Area Number 3 includes all those municipalities in Monmouth and Ocean Counties which are bounded on the north by Raritan Bay, and on the east by the Atlantic Ocean. The western boundary begins at the northern-most point in the county line between the County of Monmouth and the County of Middlesex on Raritan Bay, and follows this county line in a southerly direction to the intersection of the county line with the southern boundary line of Matawan township, thence along the southern boundary of Matawan township to its junction with the western boundary of Holmdel township; thence along the eastern boundary of Matawan township to the intersection of this township line with the southern boundary of Raritan township, thence along the southern boundary of Raritan township to its intersection with the western boundary of Middletown township; thence in a general southerly direction along the western and southern boundaries of Middletown township to its intersection with Shrewsbury township; thence in a southerly direction along the western boundary of Shrewsbury township to its junction with the northern boundary of Wall township; thence in a westerly direction along the Wall township line to its junction with Howell township; thence in a southerly direction along the western boundary of Wall township to the Monmouth County line; thence along the Monmouth County line in a westerly direction along the northern, westward and southern boundaries of Lakewood township in Ocean County to a point one mile west of New Jersey State Highway #4 and thence in a general southerly direction one mile west of New Jersey State Highway #4 to the County line between Ocean and Burlington Counties and along this county line in a general southerly direction to that body of water known as Great Bay. The southern boundary of this area is Great Bay.

(b) Milk Marketing Area Number 4 includes Bergen, Passaic, Essex, Hudson, Union, Morris, Somerset and Middlesex counties.

(c) Milk Marketing Area Number 5 includes Sussex, Warren and Hunterdon counties and sections of Monmouth and Ocean counties not included in Milk Marketing Area Number 3.

SEC. 3. *Sellers and sales covered by this area milk price regulation.* This area milk price regulation covers sales in Milk Marketing Areas 3, 4 and 5 as fixed by the Office of Milk Industry of the State of New Jersey of milk by processors and distributors and subdealers. A processor is any person who pasteurizes, blends, treats, compounds, manufactures, or packages milk. A person may be a processor of some items or some quantities of an item of milk and a distributor or a subdealer as to other items or quantities of an item. A distributor or a subdealer is a person who buys packaged milk in the same form in which he sells it and, for the purposes of this Regulation, excludes the operator of a retail store.

SEC. 4. *Ceiling prices of listed items for processors and distributors and subdealers.* The ceiling prices of milk in one quart containers, either glass or fiber, are set forth below:

	Regular pasteurized	Regular homogenized, vitamin D	Grade A pasteurized	Grade A homogenized, vitamin D
Retail, home-delivered:				
Milk Marketing Areas 3, 4, and 5 of New Jersey as defined in section 2 of this regulation excluding Hunterdon, Warren, and Sussex Counties of New Jersey	*Cents* 25.5	*Cents* 26.5	*Cents* 27.5	*Cents* 28.5
Hunterdon, Warren, and Sussex Counties of New Jersey	24.5	25.5	26.5	27.5
Wholesale, delivered to the store:				
Milk Marketing Area 3 of New Jersey as defined in section 2 of this regulation	22.5	23.5	24.5	25.5
Milk Marketing Areas 4 and 5 of New Jersey as defined in section 2 of this regulation	21.0	22.0	23.0	24.0
Sales to distributors and subdealers:				
Milk Marketing Areas 3, 4, and 5 of New Jersey as defined in section 2 of this regulation, excluding Hunterdon, Warren, and Sussex Counties of New Jersey	18.125	18.875	19.75	20.25
Hunterdon, Warren, and Sussex Counties of New Jersey	17.125	17.875	18.75	19.25

SEC. 5. *Ceiling prices of unlisted items for processors, distributors and subdealers*—(a) *Listed milk in unlisted types or sizes, or unlisted types and sizes, of containers.* Your ceiling price for milk listed in section 4 which is packaged in a container of an unlisted type or size, or an unlisted type and size shall be the ceiling price established under section 3 of the GCPR for that item, adjusted by the proportionate part of the differential per quart between the ceiling prices established by section 4 of this regulation and by section 3 of the GCPR for a comparison item. The comparison item which you must use is the same type of milk delivered to the same class of purchaser as the item for which you are determining a ceiling price.

Example. If your GCPR ceiling prices for regular pasteurized milk, delivered to the home, were 24.5 cents per quart and 13 cents per pint, you find your adjusted ceiling price for the pint container by adding to the GCPR ceiling price one-half of the difference between the ceiling price per quart established by this regulation (25.5 cents) and the corresponding GCPR ceiling price (24.5 cents). Your adjusted ceiling price for the pint container is 13.5 cents.

(b) *Listed milk sold to unlisted classes of purchasers.* Your ceiling price for milk listed in section 4 of this regulation to an unlisted class of purchaser is the ceiling price listed in section 4 for the same type of milk in the same container type and size delivered to the store, adjusted by the dollars-and-cents differential which existed between your ceiling prices, established under section 3 of the GCPR, of this milk delivered to the store and this milk delivered to the unlisted class of purchaser, the container being of the same type and size. This provision applies to sales to commercial and institutional users, including restaurants, hotels, schools, hospitals, and other unlisted classes of purchasers.

(c) *Listed milk in unlisted types and sizes of containers, and sold to unlisted classes of purchasers.* Your ceiling price for milk listed in section 4 of this regulation which is packaged in a container of an unlisted type or size, or an unlisted type and size and is sold to an unlisted class of purchaser, shall be the ceiling price established under section 3 of the GCPR for that item, adjusted by the proportionate part of the differential per quart between the ceiling prices established by this regulation and by section 3 of the GCPR for a comparison item. If the sale is to an unlisted class of purchaser for whom you can determine a ceiling price under the provisions of section 5 (b) of this regulation, the comparison item which you must use is the same type of milk when delivered to the same class of purchaser. If the sale is to an unlisted class of purchaser for whom you cannot determine a ceiling price under the provisions of section 5 (b) of this regulation, the comparison item which you must use is the same type of milk when delivered to the store. This provision applies to sales to commercial and institutional users, including restaurants, hotels, schools, hospitals and other unlisted purchasers.

(d) *Unlisted types of milk.* Your ceiling price for a type of milk which is not listed in section 4 shall be the ceiling price for a quart of regular pasteurized milk listed in section 4, adjusted by the dollars-and-cents differential which existed between your ceiling prices, established under section 3 of the GCPR, of a quart of regular pasteurized milk and the unlisted item for which you are seeking a ceiling price when delivered in the same size and type of container to a purchaser of the same class, or if the sale is to an unlisted class of purchaser, when delivered to the store. This provision applied to Golden Guernsey milk, chocolate milk, Walker-Gordon certified milks, and other unlisted types of milk.

(e) *Price Differentials.* Ceiling prices established pursuant to sections 4 and 5 must be modified by price differentials which existed between your ceiling prices determined under section 3 of GCPR and which resulted from discounts, allowances, premiums, extras, locations of purchasers, and terms and conditions of sale or delivery.

(f) *Reporting of differentials and prices resulting therefrom.* You shall report the ceiling prices computed pursuant to paragraphs (a) through (e) of this section 5 and the differentials used in determining these ceiling prices to the District Office of the Office of Price Stabilization, 200 East State Street, Trenton, New Jersey, by registered mail, return receipt requested, within five days after the effective date of this regulation. This report shall be filed on OPS Public Form 123, which may be obtained from the aforementioned office. Your price lists in effect during any part or all of the GCPR base period, including the time during which they were in effect, must accompany the report, unless you have previously mailed such price lists by registered mail to the Director who is issuing this regulation. You shall not sell at the ceiling prices computed pursuant to this section 5 until the Office of Price Stabilization has received the report required by this paragraph as shown by your return postal receipt.

(g) *Modification of proposed ceiling prices by District Director of Price Stabilization.* The District Director of the Office of Price Stabilization may at any time disapprove or revise downward ceiling prices established under this section 5 so as to bring them into line with the level of ceiling prices otherwise established under this regulation.

SEC. 6. *Use of competitor's ceiling prices to establish your ceiling prices*—(a) *How you determine your ceiling price.* If you cannot determine a ceiling price under sections 4 or 5, your ceiling price for the sale of milk for fluid consumption to any class of purchaser is the ceiling price determined under this regulation for the sale of the same milk in the same size and type of container by your most closely competitive seller of the same class (as defined in section 22 of GCPR) to the same class of purchaser.

(b) *When you may sell at your competitor's ceiling price.* You shall not sell any such milk until you have sent the report required by paragraph (c) by registered mail, return receipt requested, to the District Director of the Office of Price Stabilization who issued this regulation. After OPS has received your reports, as shown by your return postal receipt, you may sell the milk at your proposed ceiling price unless you are notified by the District Director that your proposed ceiling price has been disapproved or that more information is required.

(c) *Report required when you use your competitor's ceiling price.* Your report shall state the name and address of your company; the name, address, and type of business of your most closely competitive seller of the same class; your reasons for selecting him as your most closely competitive seller; and if you are starting a new business, a statement indicating whether you or the principal owner of your business has been engaged in any part of the past 12 months in any capacity in the same or similar business at any other establishment and if so, the trade name and address of each such establishment. Your report should also include the following:

(1) If you are a processor: A description of the milk you are pricing; the processing involved in the production of that milk; the classes of purchasers to whom you will be selling; the ceiling price of your nearest competitor, and your proposed ceiling price to each class of purchaser.

(2) If you are a distributor or subdealer: A description of the milk you are pricing; your net invoice cost of the commodity being priced; the names and addresses of your sources of supply; the function performed by them (e. g., processing, distributing, etc.), and the class of purchasers to whom they customarily sell; the classes of purchasers to whom you plan to sell; the ceiling price of your most closely competitive seller; your proposed ceiling price to each class of purchaser; and a statement that your proposed ceiling prices will not exceed the ceiling price your customers paid to their customary sources of supply. A report under this section 6 may be filed on OPS Public Form 122 which may be obtained from the District Director of the Office of Price Stabilization who issued this regulation.

SEC. 7. *Sellers who cannot price under other sections of this regulation*—(a) *How you obtain your ceiling price.* If you cannot determine a ceiling price under section 4, 5, and 6, you must apply to the District Director of the Price Stabilization Office who issued this regulation for the establishment of a ceiling price for sales by you of that milk. The Director will, as soon as possible after the receipt of the application or the receipt of such additional information as he may request, issue a letter order establishing a ceiling price for the sale by you of that milk at the various levels of distribution, and specifying a producer price for milk from which parity adjustments will be computed. You may not sell the milk until the Director has issued a letter order establishing your ceiling price for the sale of the milk.

(b) *What your application must contain.* An application under the provisions of this section must contain the following information: An explanation of why you are unable to determine your ceiling price under any other provision of this regulation; all pertinent information describing the milk and the nature of your business such as indicated in section 6 (c) (1) or (2); a description of the milk, its butterfat content, the type and size of container in which it will be sold and the class of purchaser to whom you intend to sell; your proposed ceiling price and the method used by you to determine it, including the producer price upon which it is based; and the reason you believe the proposed ceiling price is in line with the level of ceiling prices otherwise established by this regulation.

SEC. 8. *Producer prices.* (a) The following prices are the prices for raw milk on which are based the adjusted ceiling prices specified in or determined pursuant to sections 4 and 5 of this regulation.

Use	Price per hundredweight	Test (butterfat)	F. o. b.
CLASS I			
Grade A	$6.27	3.5	Receiving plant.
Grade B	5.87	3.5	Do.

The above producer prices applicable November 1, 1951, are subject to the deductions and additions set forth in Order No. 50-5 issued by the Office of Milk Industry of the State of New Jersey, effective October 15, 1950.

(b) For the purpose of computing parity adjustments in accordance with section 8 (a) of Supplementary Regulation 63 to the General Ceiling Price Regulation, the producer prices to which price ceilings will be adjusted are as follows:

(1) For Class I, Grade A milk, the Class I Grade A minimum price fixed by the Office of Milk Industry of the State of New Jersey for milk containing 3.5 percent butterfat, using as a base the Class I, Grade A minimum price for the month of November 1951, f. o. b. receiving plant, subject to the deductions and additions set forth in Order No. 50-5 issued by the Office of Milk Industry of the State of New Jersey, effective October 15, 1950.

(2) For Class I, Grade B milk, the Class I, Grade B minimum price fixed by the Office of Milk Industry of the State of New Jersey for milk containing 3.5 percent butterfat, using as a base the Class I Grade B minimum price for the month of November 1951, f. o. b. receiving plant, subject to the deductions and additions set forth in Order No. 50-5 issued by the Office of Milk Industry of the State of New Jersey, effective October 15, 1950.

(c) After the determination of your ceiling price under either section 6 or section 7 you may increase, and you must decrease, the ceiling prices so established by parity adjustments in conformity with section 8 (a) of Supplementary Regulation 63. If your ceiling price was determined under section 6 of this Regulation, you shall compute your parity adjustments from the applicable minimum price fixed by the Office of Milk Industry of the State of New Jersey in effect at the time you mailed your report, pursuant to section 6 (c) of this regulation. If your ceiling price was determined under section 7 of this regulation, you shall compute your parity adjustments from the producer price specified in the letter order.

(d) In computing a parity adjustment in accordance with section 8 (a) of Supplementary Regulation 63 to the General Ceiling Price Regulation, you shall apply the rounding provisions of section 8 (b) of Supplementary Regulation 63 except as provided in subparagraph (1) and (2) to this paragraph (d) of this section 8.

(1) If, in computing an adjusted ceiling price in a sale to either a distributor who is not a processor or a subdealer who is not a processor, you arrive at a unit price which involves a fraction of a cent, you may increase and must decrease it in accordance with the following table:

Increases or decrease in producer price (cents per quart)	*Increase or decrease in ceiling price (cents per quart)*
0.0–0.06250	0
0.06251–0.18750	⅛
0.18751–0.31250	¼
0.31251–0.43750	⅜
0.43751–0.56250	½
0.56251–0.68750	⅝
0.68751–0.81250	¾
0.81251–0.93750	⅞
0.93751 and over	1

(2) Ceiling prices for container sizes smaller or larger than those provided above for fluid milk may be increased but shall be decreased in direct proportion to the adjustment specified in the foregoing table of this section.

SEC. 9. *Rounding of fractions.* Fractions of a cent remaining after you have computed your ceiling price for the total number of units of any milk item (and after giving effect to section 8 (b) of Supplementary Regulation 63 and section 8 (d) of this regulation) shall be dropped if less than one-half cent and may be increased to the next higher cent if one-half cent or more. If, however, you have customarily billed any particular purchaser or any class of purchasers for milk items purchased during a month or other billing period, any fraction remaining after the computation of the ceiling price for the total number of units of all milk items so sold during the preceding month or other billing period shall be dropped if less than one-half cent and may be increased to the next higher cent if one-half cent or more.

SEC. 10. *Transfers of business or stock in trade.* If the business, assets or stock in trade of any business are sold or otherwise transferred after this regulation becomes effective, and the transferee carries on the business, or continues to deal in the same type of commodities or services, in an establishment separate from any other establishment previously owned or operated by him the ceiling prices of the transferee shall be the same as those to which his transferor would have been subject if no such transfer had taken place, and his obligation to keep records sufficient to verify such prices shall be the same. The transferor shall either preserve and make available, or turn over, to the transferee all records of transactions prior to the transfer which are necessary to enable the transferee to comply with the record provisions of this regulation.

SEC. 11. *Prohibitions.* (a) After the effective date of this regulation, regardless of any contract or other obligation, you shall not sell, and you shall not buy in the regular course of business or trade,

any milk at a price in excess of the ceiling price established by this regulation. The term "sell" includes sell, supply, dispose, barter, exchange, transfer, deliver, and contracts and offers to do any of the foregoing. The term "buy" shall be construed accordingly.

(b) Nothing in this regulation shall prevent a seller from selling below those prices established as ceiling prices under this regulation.

SEC. 12. *Violations*—(a) *Civil and criminal action.* Persons violating any provision of this regulation are subject to the criminal penalties, civil enforcement sections, and suits for treble damages provided for by the Defense Production Act of 1950, as amended.

(b) *Violations of reporting requirements.* If any person subject to this regulation fails to file the reports required by this regulation, or if any person subject to this regulation fails to establish a ceiling price, or apply to the Office of Price Stabilization for the establishment of a ceiling price, if he is required to do so, the Director may issue an order fixing ceiling prices for the milk items such person sells. Any ceiling price fixed in this manner will be in line with ceiling prices established by this regulation. The order fixing the ceiling price may apply to all deliveries or transfers for which a ceiling price was not established in accordance with the provisions of this regulation, including deliveries or tranfers completed prior to the date of issuance of the order. The issuance of such an order will not relieve the seller of his obligation to comply with the requirements of this regulation or of the various penalties for failure to do so.

SEC. 13. *Definitions.* Fluid milk means standard milk; homogenized milk; vitamin and mineral fortified milk; high fat milks; milks of special curd tensions and other milks with special dietary qualities and properties; creamed buttermilk; and chocolate milk, whether such milk is to be sold at retail or wholesale, and regardless of whether such milk is to be sold in glass, paper, or other types of containers or in bulk. It is not intended, however, for this definition to include buttermilk; skim milk, plain; skim milk, vitamin or mineral fortified; skim milk drinks such as chocolate drinks; half and half; cream of various percentages of butterfat, including sour cream; cottage, pot and bakers cheese; butter cream, filled cream, cream mixed with other ingredients or gases used as whipping cream and other specialized cream products; which milk products shall continue to be subject to the General Ceiling Price Regulation. It is not intended for this definition to include milk, cream, skim milk or whey when such products are exempt from the General Ceiling Price Regulation or to include ice cream or ice cream mix, canned, evaporated or condensed milk, milk powder, butter or other manufactured products not used for fluid consumption. Neither is it intended to include sales of concentrated frozen fresh milk sold by wholesalers, such sales being governed by Ceiling Price Regulation 14. This Regulation applies only to milk produced by cows.

Effective date. This area milk price regulation is effective April 10, 1952.

NOTE: The reporting requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

HARRY A. WALSH,
District Director,
Office of Price Stabilization.

APRIL 10, 1952.

[F. R. Doc. 52-4221; Filed, Apr. 10, 1952; 12:04 p. m.]

[General Ceiling Price Regulation, Supplementary Regulation 63, Area Milk Price Regulation 22]

GCPR, SR 63—AREA MILK PRICE ADJUSTMENTS

AMPR 22—PENNSYLVANIA, SOUTHERN NEW JERSEY, AND NEWCASTLE COUNTY, DELAWARE, MILK MARKETING AREA

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161 (15 F. R. 6105) and Economic Stabilization Agency General Order No. 2 (16 F. R. 738) this area milk price regulation, in accordance with Supplementary Regulation 63 to the General Ceiling Price Regulation (16 F. R. 9559), and pursuant to Delegation of Authority 41 (10 F. R. 12679), is hereby issued.

STATEMENT OF CONSIDERATIONS

Supplementary Regulation 63 to the General Ceiling Price Regulation, issued September 19, 1951, authorizes Regional Directors of the Office of Price Stabilization to issue area milk price regulations adjusting ceiling prices for milk products for particular milk marketing areas when such areas are not wholly within the jurisdiction of any District office of the Office of Price Stabilization. Regulations may be issued pursuant to petitions filed by processors or distributors of milk products in such marketing area or may be issued on the Regional Director's own initiative.

Pursuant to the provisions of section 4 of Supplementary Regulation 63 to the General Ceiling Price Regulation, two processors of aerated mixtures of cream filed petitions with the Regional Director requesting an adjustment of their ceiling prices for such product. Aerated mixtures of cream are sold under such trade names as Reddi-Wip and Zip-Wip and consist of a whipped cream mixed with certain other ingredients such as stabilizer and sugar, generally sold in metal containers having a patented cap. This patented device permits the whipped cream to be expelled from the container by the pressure of carbondioxide gas. The two processors who filed petitions are two of the four known processors of such product in the marketing area which this regulation covers and are representative of the industry in such marketing area. Since the product is distributed by each of the processors involved in areas that overlap District Offices in the Region, the Regional Director has determined that a milk marketing area comprising the State of Pennsylvania, the southern area of New Jersey, and the County of Newcastle, Delaware, maintains the historical marketing area in which the product covered is distributed by the processors affected by this regulation.

This area milk price regulation provides for processors uniform adjustments of ceiling prices determined under section 3 of the General Ceiling Price Regulation. These adjustments were determined by taking the prices in effect during the period January 1, 1950, to June 30, 1950, and by adding increases in the cost of (1) direct labor (including distribution labor), (2) Cans, containers, and cases, and (3) raw milk and other agricultural commodities or products thereof. The application of this criteria resulted in the uniform adjustment to GCPR prices provided for in the regulation.

This regulation also specifies the price for raw milk upon which the adjustments in ceiling prices are based. This price is to be the basis for computing future parity adjustments by processors of the listed commodity.

The adjustment provided for in the regulation applies only to processors of aerated mixtures of cream, not to distributors or operators of retail stores. Since the latter classes of sellers remain under the General Ceiling Price Regulation, they will be permitted to increase their ceiling prices under section 11 (c) of GCPR by the dollar and cent adjustment which this regulation provides for processors.

Every effort has been made to conform this regulation to existing business practices, cost practices or methods, or means or aids to distribution. Insofar as any provisions of this regulation may operate to compel changes in the business practices, cost practices or methods, or means or aids to distribution, such provisions are found necessary by the Regional Director of the Office of Price Stabilization to prevent circumvention or evasion of this regulation.

In the judgment of the Regional Director of the Office of Price Stabilization, the provisions of this area milk price regulation in Region III are generally fair and equitable and are necessary to effectuate the purpose of Title IV of the Defense Production Act of 1950, as amended by the Defense Production Act Amendments of 1951.

The Regional Director of the Office of Price Stabilization gave due consideration to the national effort to achieve maximum production in furtherance of the objectives of the Defense Production Act of 1950, as amended; to prices prevailing during the period from May 24, 1950, to June 24, 1950, inclusive; and to all relevant factors of general applicability.

In the formulation of this regulation, there has been consultation with industry representatives to the extent practicable and due consideration has been given to their recommendations.

REGULATORY PROVISIONS

Sec.
1. What this area milk price regulation does.
2. Where this area milk price regulation applies.
3. Sellers and sales covered by this area milk price regulation.

Sec.
4. Ceiling prices for aerated mixtures of cream.
5. Use of competitors' ceiling prices to determine your ceiling prices.
6. Sellers who cannot price under other sections of this regulation.
7. Producer prices upon which ceiling prices are based.
8. Rounding of fractions.
9. Incorporation of GCPR provisions.
10. Prohibitions.
11. Violations.
12. Definitions.

AUTHORITY: Sections 1 to 12 issued under sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154. Interpret or apply Title IV, 64 Stat. 803, as amended; 50 U. S. C. App. Sup. 2101-2110; E. O. 10161, Sept. 9, 1950, 15 F. R. 6105; 3 CFR, 1950 Supp.

SECTION 1. *What this area milk price regulation does.* This area milk price regulation, issued in accordance with Supplementary Regulation 63 to the General Ceiling Price Regulation and pursuant to Delegation of Authority 41 (16 F. R. 12679), provides uniform adjustments of ceiling prices determined under section 3 of the General Ceiling Price Regulation (hereinafter referred to as GCPR base period prices) for the sale by processors in consumer size containers of aerated mixtures of cream as hereinafter defined. It also provides a method for determining ceiling prices for such items where there is no GCPR base period price.

SEC. 2. *Where this area milk price regulation applies.* The provisions of this area milk price regulation are applicable to all sales by processors of aerated mixtures of cream in consumer size packages in the milk marketing area hereby established and composed of (a) each and every milk marketing area in the Commonwealth of Pennsylvania as such areas are defined by the Pennsylvania Milk Control Commission, (b) milk marketing areas 1 and 2 in the State of New Jersey as defined by the Office of Milk Industry for New Jersey, and (c) the County of Newcastle in the State of Delaware.

SEC. 3. *Sellers and sales covered by this area milk price regulation.* This area milk price regulation covers sales by processors of aerated mixtures of cream to all classes of purchasers in the marketing area described in section 2. A processor is any person who blends, treats, compounds, manufactures, or packages aerated mixtures of cream. All other classes of sellers will continue to determine their ceiling prices for aerated mixtures of cream under the provisions of the General Ceiling Price Regulation.

SEC. 4. *Ceiling prices for aerated mixtures of cream*—(a) *How you determine your ceiling prices.* Your ceiling price to all classes of purchasers for a consumer size container of aerated mixtures of cream shall be your GCPR base period price to that class of purchaser, plus a uniform adjustment of four cents ($0.04) per container.

(b) *Reporting of ceiling prices.* (1) You shall report the ceiling prices resulting from the application of the uniform adjustments specified in section 4 (a) to the Regional Office of the Office of Price Stabilization, Commercial Trust Building, 15th and Market Streets, Philadelphia 2, Pennsylvania, by registered mail, return receipt requested, within five days after the effective date of this regulation. The report shall be filed on OPS Public Form 124 which may be obtained from the aforementioned office.

(2) Your price lists in effect during any part or all of the GCPR base period, including the time during which they were in effect, must accompany the report, unless you have previously mailed such price lists by registered mail to the Director who is issuing this regulation. You shall not sell at the ceiling prices computed pursuant to this section 4 until the Office of Price Stabilization has received the report required by this paragraph (b) as shown by your return postal receipt.

SEC. 5. *Use of competitors' ceiling prices to establish your ceiling prices*—(a) *How to determine your ceiling prices.* If you cannot determine a ceiling price under section 4, your ceiling price for the sale of aerated mixtures of cream to any class of purchaser is the ceiling price determined under this regulation for the sale of the same product by your most closely competitive seller of the same class (as defined in section 22 of GCPR) to the same class of purchaser.

(b) *When you may sell at your competitors' ceiling price.* You shall not sell aerated mixtures of cream until you have sent the report required by paragraph (c) of this section, by registered mail, return receipt requested, to the Regional Director of Region III of the Office of Price Stabilization. After OPS has received your reports, as shown by your return postal receipts, you may sell aerated mixtures of cream at your proposed ceiling price unless you are notified by the Regional Director that your proposed ceiling price has been disapproved or that more information is required.

(c) *Report required when you use your competitors' ceiling price.* Your report shall state the name and address and type of business of your most closely competitive seller of the same class; your reasons for selecting him as your most closely competitive seller; and if you are starting a new business, a statement indicating whether you or the principal owner of your business has been engaged in any part of the past 12 months in any capacity in the same or similar business at any other establishment and, if so, the trade name and address of such establishment. Your report should also include the following: A description of the product you are pricing; the processing involved in the production thereof; the class of purchasers to whom you will be selling; the ceiling price of your nearest competitor, and your proposed ceiling price to each class of purchaser. A report under this section 5 may be filed on OPS Public Form 122, which may be obtained from the Regional Director of Region III of the Office of Price Stabilization.

SEC. 6. *Sellers who cannot price under other sections of this regulation*—(a) *How you obtain your ceiling price.* If you cannot obtain a ceiling price under sections 4 or 5, you must apply to the Regional Director of Region III of the Office of Price Stabilization for the establishment of a ceiling price for sales by you of aerated mixtures of cream. The Regional Director will, as soon as possible after the receipt of the application or the receipt of such additional information as he may request, issue an order establishing a ceiling price for the sale by you of that product and specifying a producer price for raw milk from which parity adjustments will be computed. You may not sell such product until the Regional Director has issued a letter order establishing your ceiling price for the sale thereof.

(b) *What your application must contain.* An application under the provisions of this section must contain the following information: An explanation of why you are unable to determine your ceiling price under any other provision of this regulation; all pertinent information describing the product and the nature of your business such as indicated in section 5 (c); a description of the product, its contents, the class of purchaser to whom you intend to sell; your proposed ceiling price and the method used by you to determine it, including the producer price for raw milk upon which it is based; and the reason you believe the proposed ceiling price is in line with the level of ceiling prices otherwise established by this regulation.

SEC. 7. *Producer prices upon which ceiling prices are based.* (a) The specific producer price for Class 2 milk, 4 percent butter fat, upon which ceiling prices established under this regulation are based is $3.868 per hundredweight.

(b) Producer prices specified in section 7 (a) must be used as the basis for computing parity adjustments of ceiling prices in accordance with section 8 (a) (1) of Supplementary Regulation 63 to the General Ceiling Price Regulation by all sellers except those who establish their ceiling prices under sections 5 or 6 thereof.

(c) After the determination of your ceiling price under either section 5 or section 6 of this area milk price regulation, you may increase, and you must decrease, the ceiling prices so established by parity adjustments in conformity with section 8 (a) (1) of Supplementary Regulation 63. If your ceiling price was determined under section 5 of this regulation, you shall compute your parity adjustment from the highest price you paid or incurred for your customary purchase of raw milk or products processed therefrom during the most recent paying period prior to the date you mailed your report. If you made no customary purchase prior to the date you mailed your report, the price you paid or incurred for your first customary purchase between the date you mailed your report and the date you first offered your product for immediate delivery shall be your base for computing parity adjustments. If your ceiling price was determined under section 6 of this regulation, you shall compute your parity adjust-

ments from the producer prices specified in the letter order.

SEC. 8. *Rounding of fractions.* Fractions of a cent remaining after you have computed your ceiling price for the total number of units of the milk product covered hereunder (and after giving effect to section 8 (b) of Supplementary Regulation 63) shall be dropped if less than one-half cent and may be increased to the next higher cent if one-half cent or more.

SEC. 9. *Incorporation of GCPR provisions.* If you are subject to this area milk price regulation, you are also subject to all provisions of the General Ceiling Price Regulation not inconsistent with the provisions of this regulation.

SEC. 10. *Prohibitions.* After the effective date of this regulation, regardless of any contract or other obligation, you shall not sell, and no person shall buy in the regular course of business or trade, aerated mixtures of cream at a price in excess of the ceiling price established by this regulation.

SEC. 11. *Violation*—(a) *Civil and criminal action.* Persons violating any provision of this regulation are subject to the criminal penalties, civil enforcement actions, and suits for treble damages provided for by the Defense Production Act of 1950, as amended.

(b) *Violation of reporting requirements.* If you fail to file the reports required by this regulation, or if you fail to establish a ceiling price, or to apply, if required to do so, the Regional Director of Region III of the Office of Price Stabilization, for the establishment of a ceiling price, the Regional Director may issue an order fixing your ceiling prices for aerated mixtures of cream. Any ceiling price fixed in this manner will be in line with ceiling prices established by this regulation. The order fixing the ceiling price may apply to all deliveries or transfers for which a ceiling price was not established in accordance with this regulation, including deliveries or transfers completed prior to the date of issuance of the order. The issuance of such an order will not relieve the seller of his obligation to comply with the requirements of this regulation or of the various penalties for failure to do so.

SEC. 12. *Definitions.* (a) "Aerated mixture of cream" means cream mixed with other ingredients and gases and used as a whipping cream.

(b) "Class of purchaser" or "purchaser of the same class" refers to the practice adopted by a seller in setting different prices for sales to different purchasers or for purchasers located in different areas or for purchasers of different quantities or grades or under different terms or conditions of sale or delivery.

(c) Consumer size container means a container having a net weight of at least seven (7) but not more than eight (8) ounces.

(d) "You." The pronoun "you" as used in this area milk price regulation means the person subject thereto.

Effective date. This area milk price regulation is effective April 9, 1952.

NOTE: The reporting requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

JOSEPH J. MCBRYAN,
Regional Director, Region III,
Office of Price Stabilization.

APRIL 9, 1952.

[F. R. Doc. 52-4192; Filed, Apr. 9, 1952; 4:05 p. m.]

[General Overriding Regulation 14, Amdt. 10]

GOR 14—EXCEPTED AND SUSPENDED SERVICES

TRAILER ACCOMMODATIONS

Pursuant to the Defense Production Act of 1950 (Pub. Law 774, 81st Cong.), as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Amendment 10 to General Overriding Regulation 14 is hereby issued.

STATEMENT OF CONSIDERATIONS

This Amendment 10 to General Overriding Regulation 14 suspends from ceiling price regulation charges made for trailer accommodations on which maximum rents have been established by the Office of Rent Stabilization pursuant to the Housing and Rent Act of 1947, as amended. Under that statute the Office of Rent Stabilization regulates, under certain conditions, charges made for any housing accomodation in a motor court, any trailer, or ground rented as trailer space in defense rental areas. At the same time, Ceiling Price Regulation 34 regulates ceiling prices which may be charged for the use of space by trailers. It is necessary, therefore, in order to avoid dual control by these two government agencies in this limited field that the regulation of trailer space by the Office of Price Stabilization be limited to situations where there is no control exercised by the Office of Rent Stabilization. Thus, so long as maximum rents have been established for these facilities by the Office of Rent Stabilization, a suspension from OPS ceiling price regulation is provided.

In view of the corrective nature of this amendment, special circumstances have rendered consultation with industry representatives, including trade association representatives, impracticable.

AMENDATORY PROVISIONS

General Overriding Regulation 14, as amended, is further amended in the following respects:

1. The title of the regulation is amended to read as follows: GOR 14—Excepted and Suspended Services, as set forth above.

2. Section 1 is amended to read as follows:

SECTION 1. *What this regulation does.* This regulation exempts or suspends from any ceiling price restrictions imposed by the Office of Price Stabilization the rates, fees and charges for supplying the services enumerated.

3. A new section 4 is added to read as follows:

SEC. 4. *Suspensions.* (a) The rates, fees and charges for the supply of the services listed below are suspended for the respective periods therefor listed below from the provisions of any ceiling price regulation now or hereafter issued by the Office of Price Stabilization:

(1) Charges for trailer accommodations as long as the maximum rents therefor shall be established or be subject to regulation by the Office of Rent Stabilization under the Housing and Rent Act of 1947, as amended.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

Effective date. This Amendment 10 to General Overriding Regulation 14 shall become effective April 15, 1952.

ELLIS ARNALL,
Director of Price Stabilization.

APRIL 10, 1952.

[F. R. Doc. 52-4220; Filed, Apr. 10, 1952; 12:04 p. m.]

TITLE 36—PARKS, FORESTS, AND MEMORIALS

Chapter I—National Park Service, Department of the Interior

PART 20—SPECIAL REGULATIONS

MAMMOTH CAVE NATIONAL PARK; FISHING

APRIL 7, 1952.

Subparagraph (1), entitled *Open season*, of paragraph (a) entitled *Fishing*, of § 20.36, entitled *Mammoth Cave National Park* is amended to read as follows

§ 20.36 *Mammoth Cave National Park*—(a) *Fishing*—(1) *Open season.* Fishing is permitted throughout the year.

(Sec. 3, 39 Stat. 535, as amended; 16 U. S. C. 3)

Issued this 7th day of April 1952.

OSCAR L. CHAPMAN,
Secretary of the Interior.

[F. R. Doc. 52-4120; Filed, Apr. 10, 1952; 8:50 a. m.]

TITLE 45—PUBLIC WELFARE

Chapter I—Office of Education, Federal Security Agency

PART 104—CONSTRUCTION OF SCHOOL FACILITIES IN AREAS AFFECTED BY FEDERAL ACTIVITIES

SUBPART B—DEADLINE FOR APPLICATIONS FOR PAYMENTS AND ORDER OF CERTIFICATIONS FROM FUNDS AVAILABLE FOR FISCAL YEAR 1952

NOTE: The text of §§ 104.21 to 104.26 (16 F. R. 4619) is hereby designated Subpart E—Grants to Certain Local Educational Agencies, and §§ 104.21 to 104.26 are redesignated §§ 104.51 to 104.56. Subparts C and D are reserved.

Part 104, Subpart B, is amended by adding §§ 104.18 to 104.26, inclusive.

Whereas, §§ 104.13 and 104.14 of this Subpart B (16 F. R. 10559) fix October 27, 1951 as the date on or before which

all complete applications for payments out of funds then available for the fiscal year 1952 should be filed, and

Whereas, it is desired to provide for the allocation of funds made available subsequent to said date or which may remain unallocated under the terms of such preceding sections, now, therefore, Subpart B is amended by the addition of §§ 104.18 to 104.26, inclusive, as follows:

APPLICATIONS FOR PAYMENTS OUT OF FUNDS MADE AVAILABLE SUBSEQUENT TO OCTOBER 27, 1951, AND PRIOR TO JUNE 30, 1953, FOR THE FISCAL YEAR 1952 OR WHICH, THOUGH APPROPRIATED AND AVAILABLE PRIOR TO OCTOBER 27, 1951, REMAIN UNALLOCATED ON APRIL 30, 1952.

Sec.
104.18 Definitions.
104.19 Procedure if funds are inadequate to make all payments.
104.20 Determination made for fiscal year 1952 of insufficiency of available funds.
104.21 Deadline for applications for fiscal year 1952.
104.22 Applications previously filed.
104.23 Order of making certifications from available funds.
104.24 Priority certifications restricted to cost of minimum school facilities.
104.25 Priority and certification conditioned on readiness to proceed with construction.
104.26 Preceding provisions not exhaustive of jurisdiction of Commissioner of Education.

AUTHORITY: §§ 104.18 to 104.26 issued under sec. 208, 64 Stat. 975; 20 U. S. C. Sup. 278. Interpret or apply sec. 206, 64 Stat. 973; 20 U. S. C. Sup. 276.

§ 104.18 *Definitions.* All terms used in this part which are defined in Public Law 815, 81st Congress, and not defined in this section shall have the meaning given to them in such act. As used in this part, the following terms shall have the meaning indicated hereinbelow:

(a) *Complete application.* Where applicant submits only one project, the complete application consists of both Part I (Entitlement) and Part II (Project) of the application form RSF-2 prescribed by the Commissioner for use under this act, properly completed and executed, together with all documents, amendments, and communications in support thereof. Where applicant submits more than one project, the Part I form and all Part II forms, together with all documents, amendments, and communications in support thereof, submitted by a local educational agency shall be considered as the complete application. Where more than one Part II application is submitted by an applicant, applicant shall indicate the order in which its project applications are to be considered by the Commissioner.

(b) *Project application.* Form RSF-2, Part II, properly completed and executed, making application for Federal assistance in the construction of new school buildings, or the addition to or modification of existing school buildings, upon a single site.

§ 104.19 *Procedure if funds are inadequate to make all payments.* Section 206 (d), Public Law 815, 81st Congress reads as follows:

If the Commissioner of Education determines for any fiscal year that the funds which will be available therefor may not be sufficient to pay in full the amounts which all local educational agencies would otherwise be entitled to receive under applications approved under this title before the end of such year, he shall by regulations prescribe (1) a date or dates before which all applications for payments out of such funds shall be filed, and (2) the order in which the certifications required by subsections (a) and (b) of this section will be made. The order so prescribed shall be based on relative urgency of need and shall give applications under section 205 (b) priority over applications under section 205 (c).

§ 104.20 *Determination made for fiscal year 1952 of insufficiency of available funds.* The Commissioner of Education has determined that for the fiscal year 1952 available funds may not be sufficient to pay in full the amounts which all local educational agencies would otherwise be entitled to receive under sections 202 and 205, as provided in section 206 (d), Public Law 815, 81st Congress.

§ 104.21 *Deadline for applications for fiscal year 1952.* April 30, 1952, is hereby fixed as the date on or before which all complete applications for payments out of funds made available subsequent to October 27, 1951, and prior to June 30, 1953, for the fiscal year 1952 or which, though appropriated and available prior to October 27, 1951, remain unallocated on April 30, 1952, shall be filed.

§ 104.22 *Applications previously filed.* All applications duly filed on or before October 27, 1951, within the terms of §§ 104.13 and 104.14 of this Subpart B (16 F. R. 10559) need not be refiled in order to participate in funds made available subsequent to October 27, 1951, or remaining unallocated as aforesaid on April 30, 1952, but will be deemed to have been duly filed for participation therein in all respects as though filed again under the terms of § 104.21.

§ 104.23 *Order of making certifications from available funds.* Subject to the condition of readiness hereinafter stated, the order in which certifications required by subsections (a) and (b) of section 206, Public Law 815, 81st Congress, from funds made available subsequent to October 27, 1951 and prior to June 30, 1953, for the fiscal year 1952 or which, though appropriated and available prior to October 27, 1951, remain unallocated on April 30, 1952, will be made is as follows:

(a) *Preference to project applications for school facilities where none are presently available.* Project applications designed to provide school facilities for children for whom no facilities are presently available, as indicated in subparagraph (1) of this paragraph, will be preferred.

(1) *When children deemed to be without school facilities.* For the purposes of this section, children will be deemed to be without school facilities who (i) are in excess of 110 percent of the normal one-session-per-day capacity of the usable school facilities presently available or (ii) are presently housed in basement rooms, hallways or other space the use of which for school purposes in view of its character, inaccessibility, or other equally cogent reason, seriously prejudices or would seriously prejudice the educational objective or has impaired or will impair the health of the school children. All facilities which were constructed as school buildings and which have been used continuously for classroom purposes shall be considered as available or usable, unless such buildings have been made unsafe or otherwise unusable to the extent that such buildings have been abandoned or must be abandoned during the current year.

(2) *Determination of order of priority for payments.* A priority index will be determined for the first or number one project application for each applicant by adding (i) the percentage of the average daily attendance with respect to which the local agency is eligible for payment under the act and the application is made, to (ii) the percentage of the school membership within the same jurisdictional area which is without school facilities under the definition in subparagraph (1) of this paragraph, those project applications with the highest combined percentages being first certified for payment: *Provided*, That in no case shall the total of the two percentages used in determining the priority index exceed twice the percentage described in subdivision (i) of this subparagraph:

(3) *Provided, however*, (i) That where the jurisdictional area of the applicant with respect to which the application is made comprises an extensive territory and the Federal activity is localized within an area served by one or more attendance centers, and the other attendance centers within the District are substantially unavailable to meet the needs of such attendance centers affected by Federal activities, then, in such case, the percentages described in subdivisions (i) and (ii) of subparagraph (2) of this paragraph will be determined with respect to the Federally affected attendance areas, and not with respect to the entire school district or jurisdiction: *And provided*, (ii) That where an applicant has filed more than one project application, the priority index for the second project application considered for certification will be determined by: (*a*) Dividing 110 percent of the normal capacity of the first project by the total membership; (*b*) reducing the applicant's priority index for the second project application considered by twice the percentage obtained in (*a*). Where more than two project applications have been filed, the applicant's priority index for each succeeding project application considered for certification shall be reduced by the cumulative total capacity, as provided in subdivision (*a*) of this subparagraph, of all the certified projects of the applicant agency: *And provided*, (iii) That all school facilities for the construction of which contracts were let before July 1, 1951, shall be considered as available facilities in determining the priority index and, in addition, all projects on which a payment has been certified under the provisions of this act shall be considered to be available as of the date of certification of the first payment.

(4) *Responsibility of applicant and Field Representative in priority deter-*

minations. The applicant must submit as a part of its complete application all facts and circumstances in each case which are pertinent to an accurate determination of priority status as above, and the Field Representative will assume primary responsibility for designating and determining differentiated attendance centers under subparagraph (3) (i) of this paragraph.

(b) *Certification of remaining funds and priority of construction applications over reimbursement applications.* Federal funds not certified under paragraph (a) of this section may be drawn upon to replace or improve obsolescent, substandard, or temporary facilities, or for projects requiring amounts of Federal funds in excess of those necessary to provide minimum facilities as described in § 104.24. All applications under section 205 (b), Public Law 815, 81st Congress, will have priority over applications under section 205 (c), Public Law 815, 81st Congress.

§ 104.24 *Priority certifications restricted to cost of minimum school facilities.* Certification of funds for priority projects will be restricted in amount to the cost of providing minimum school facilities, as measured by the square footage per pupil, necessary to operate a school program on a one-session-per-day basis above the kindergarten level, including an all-purpose room and auxiliary school facilities, exclusive of single-purpose auditoria or gymnasia, for 91 percent of those children deemed to be without school facilities as defined in this subpart. All school facilities for which contracts have been let or for which a payment has been certified under this Act prior to the date of the first certification of funds for each project application under section 206 (a) shall be considered to be available in determining the amount of funds which may be certified on such application: *Provided*, That, effective April 30, 1952, facilities shall not be deemed available for which contracts were let subsequent to July 1, 1951, and which are financed wholly from State or local sources and which are required either to replace unsafe or unsatisfactory school buildings which have not been and which will not be abandoned during the current school year or to provide for enrollment increases anticipated during the school year 1952–53. In no instance will the funds certified exceed the Federal funds requested in the application. However, nothing contained in the regulations of this subpart shall be deemed to bar the State, or the applicant with the approval of the State educational agency, from using for an approved project, in addition to the Federal grant, moneys otherwise obtained to provide a higher type or larger or better implemented facility, as the State or local authorities may deem reasonable under the existing circumstances. The applicant will be required to show in such cases that the added cost is being thus independently met.

§ 104.25 *Priority and certification conditioned on readiness to proceed with construction.* Certification and transfer of funds with respect to any project application described in this subpart will be subject to postponement in the event the applicant is not ready to proceed with construction before June 30, 1952, or within such time thereafter as may be determined by the Commissioner, and may be subordinated by reason thereof to other project applications of lower rank or forfeit its priority in the discretion of the Commissioner.

§ 104.26 *Preceding provisions not exhaustive of jurisdiction of Commissioner of Education.* The provisions of §§ 104.18 to 104.25, inclusive, shall not be deemed exhaustive of the jurisdiction of the Commissioner of Education under section 206 (d), Public Law 815, 81st Congress. Such provisions may be modified or further regulations may be issued hereafter as circumstances may require.

Dated: March 14, 1952.

[SEAL] EARL J. MCGRATH,
U. S. Commissioner of Education.

Approved: March 25, 1952.

JOHN L. THURSTON,
Acting Federal Security Administrator.

[F. R. Doc. 52-4189; Filed, Apr. 10, 1952; 8:56 a. m.]

TITLE 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

[Docket No. 6651]

PART 2—FREQUENCY ALLOCATIONS AND RADIO TREATY MATTERS; GENERAL RULES AND REGULATIONS

MISCELLANEOUS AMENDMENTS

Correction

In F. R. Doc. 52-3498, appearing at page 2766 of the issue for Saturday, March 29, 1952, the following changes should be made:

1. In § 2.104 (a) (4), the Frequency Band (kc) numbers "14-15" should read "14-55".

2. In § 2.104 (a) (5), on page 2778, seventh column of the table, the Band (kc) numbers "2220-22270" should read "22220-22270".

TITLE 49—TRANSPORTATION

Chapter I—Interstate Commerce Commission

Subchapter B—Carriers by Motor Vehicles

PART 179—TRANSFERS OF OPERATING RIGHTS

TRANSFERS AND CONTRACTS TO OPERATE FOR LIMITED PERIODS AND CONSIDERATION INVOLVED THEREIN

At a session of the Interstate Commerce Commission, Division 5, held at its office in Washington, D. C., on the 7th day of April A. D. 1952.

A notice of proposed rule-making was published in the FEDERAL REGISTER February 1, 1952 (17 F. R. 1190), regarding the proposed revision of the transfer rules and regulations (49 CFR 179.0-179.6) to include rules covering transfers and contracts to operate for limited periods, and the consideration involved in such transfers and contracts to operate.

Due consideration having been given to the written data, views, and arguments submitted to the Commission in favor of or against the proposed rules, and revision thereof to the extent found justified having been made:

It is ordered, That § 179.1 be amended by adding thereto paragraph (f) to read as follows:

(f) An application for transfer of operating rights by sale and purchase thereof will not be approved if the Commission considers and determines that the purchase price to be paid would be excessive and contrary to the public interest.

It is further ordered, That § 179.4 be amended by designating the present paragraph as (a) and adding (b), (c), and (d) as new paragraphs thereunder. As so amended, that section will read, in its entirety, as follows:

§ 179.4 *Transfers and contracts to operate for limited periods, and the consideration involved therein.* (a) Applicants who seek approval of a transfer of operating rights for a limited period, whether by lease, operating contract, or otherwise, shall state in their application the specific period for which such transfer is sought, the consideration for such transfer, the time and method of payment thereof, and that the applicants have agreed in writing that all operating rights involved in the transaction shall revert to the transferor at the expiration of said term, or upon a discontinuance of operations thereunder by the transferee at any time prior to the expiration of said term. In case of reversion, the transferor shall give immediate notice thereof to the Commission.

(b) Unless unusual circumstances are involved, an application for the transfer of operating rights for a limited period of time will not be approved for a period longer than one year, during which time the parties will be expected to consider and determine whether they want to enter into a permanent transaction of sale and purchase of the rights: *Provided*, That nothing herein shall be construed as approving a sale and purchase of operating rights in advance of application therefor.

(c) An application for the transfer of operating rights for a limited period of time will not be approved unless the terms of such transfer provide for a maximum rental stated in dollars.

(d) An application for the transfer of operating rights for a limited period of time which might otherwise be approved for a period of one year will not be so approved if the Commission considers and determines that the rental charge resulting from the transfer for the one-year period would be excessive and contrary to the public interest.

It is further ordered, That this order shall be effective May 7, 1952, and shall

continue in effect until the further order of the Commission.

And it is further ordered, That notice of this order shall be given to the general public by depositing a copy thereof in the Office of the Secretary of the Commission, Washington, D. C., and by filing a copy thereof with the Director, Division of the Federal Register.

(49 Stat. 546, as amended; 49 U. S. C. 304. Interprets or applies 49 Stat. 551, as amended, 552, as amended, 555, as amended; 49 U. S. C. 306, 309, 312)

By the Commission, Division 5.

[SEAL] W. P. BARTEL, *Secretary*.

[F. R. Doc. 52-4123; Filed, Apr. 10, 1952; 8:51 a. m.]

NOTICES

DEPARTMENT OF DEFENSE

Department of the Army

STATEMENT OF ORGANIZATION AND FUNCTIONS

Subparagraphs (1) through (7) (ix) of paragraph (k), section 2, statement of organization and functions, published April 18, 1950 (15 F. R. 2182), are revised to read as follows:

SEC. 2. *Organization and functions of agencies dealing with the public.* * * *

(k) *Office of the Chief of Ordnance*—(1) *Mission.* Under the direction and control of the Assistant Chief of Staff, G-4, provide and service the ordnance matériel required for the Army and, as assigned, for the Navy and Air Force, and provide as prescribed ordnance matériel for foreign aid programs.

(2) *Origin.* The Ordnance Department under that name was established by act of Congress May 14, 1812. A later act (February 8, 1815) reorganized the Department and assigned functions similar to those now performed. In an effort to simplify Army Organization, the Ordnance Department was merged with the Artillery in 1821. Eleven years later, however, by the act of April 5, 1832, the Department was restored to its separate status and has so functioned since. By the Army Organization Act of 1950 (Pub. Law 581, 81st Cong.; 64 Stat. 263) it was designated the Ordnance Corps.

(3) *Ordnance matériel.* Broadly speaking, ordnance matériel consists of small arms and automatic weapons; artillery including mortars; fire control equipment; ammunition and explosives; bombs and mines; transport and combat vehicles; rockets and guided missiles; Army aircraft; mobile repair shops; and parts, accessories, materials, and equipment pertaining to the above.

(4) *Legal basis.* The authority for the assignment of the general powers and duties to the Chief of Ordnance by these regulations is section 206, Army Organization Act of 1950 (Pub. Law 581, 81st Cong.; 64 Stat. 267).

(5) *Dual role of the Chief of Ordnance.* The Chief of Ordnance is the senior ordnance staff officer of the Department of the Army and is responsible for furnishing administrative and technical advice and recommendations to the Secretary of the Army, the Under Secretary of the Army, the Chief of Staff, and the General and Special Staffs. The Chief of Ordnance commands all troops, activities, and installations assigned to his control.

(6) *Major functions*—(i) *Ordnance matériel.* Provides for the research, development, test, identification, procurement, manufacture, inspection, distribution, supply, maintenance, modification, and disposal of ordnance matériel.

(ii) *Industrial mobilization.* Formulates plans, programs, and policies for industrial mobilization with reference to ordnance matériel, supplies, resources, and facilities.

(iii) *Classification of matériel.* Supervises matters preliminary to Department of the Army approval of classification (including standardization) of ordnance matériel and equipment, and coordinates these matters within the Army, with the Navy and the Air Force, and with agencies of foreign powers.

(iv) *Technical supervision.* Exercises Army-wide technical supervision over and performs inspections of ordnance activities as prescribed by the Chief of Staff.

(v) *Training.* Trains ordnance units assigned to the control of the Ordnance Corps and provides for the technical training of ordnance personnel through schools and facilities operated by the Ordnance Corps, private institutions, and industrial facilities.

(vi) *Personnel programs.* Provides progressive and constructive leadership in the administration of the civilian and military personnel programs of the Ordnance Corps.

(vii) *Ordnance intelligence.* In accordance with Department of the Army policies, produces and maintains intelligence concerning foreign ordnance research and development, organization, matériel, and operations; prepares and maintains Ordnance Corps sections of Strategic Vulnerability Surveys; exercises technical supervision over the collection and exploitation of ordnance intelligence information in theaters of operations.

(7) *Organization; general.* The Office, Chief of Ordnance, is composed of a Chief of Ordnance, three assistant chiefs, an executive office, four staff offices, and four divisions. The Ordnance command line extends directly from the Chief of Ordnance to the commanding officers of the ordnance installations and activities. Each staff office and division exercises staff supervision over specifically assigned functional responsibilities. The Field Service Division, Industrial Division, and Research and Development Division are assigned responsibility for general administration of those ordnance class II installations and activities whose basic mission is consonant with the primary interest of the respective division.

(i) *Executive.* (a) Performs executive and administrative functions.

(b) Exercises central control over ordnance publications and ordnance-sponsored Department of the Army publications.

(c) Establishes governing policies and coordinates all public information activities within the Ordnance Corps having a bearing on the national mission of the Corps; collects, develops, and prepares for dissemination, general and technical informational material including exhibits pertaining to the Ordnance Corps; and provides liaison with higher public information authority.

(d) Performs historical research and prepares the history of ordnance activities.

(e) Provides central administrative and office services.

(f) Establishes policies, plans, and procedures for and coordinates Ordnance Corps activities under the installations and construction programs of the Department of the Army.

(ii) *Legal Office.* (a) Performs general counsel functions for the Chief of Ordnance including preparation of action on all legal aspects of the Foreign Aid and Military Assistance Programs; conducts legal phases of ordnance contract activity and of claims arising under ordnance contracts; and acts on ordnance patent, royalty, and copyright activities, litigation, tax problems, antitrust clearance, and fraud matters.

(b) Initiates, reviews, and interprets current legislation affecting Ordnance Corps activities.

(c) Prepares ordnance procurement instructions.

(d) Administers labor relations activities under ordnance contracts, and with respect to contractor-operated ordnance facilities including compliance with applicable statutes.

(e) Executes quasi legal assignments as directed by the Chief of Ordnance.

(iii) *Intelligence, Security, and Safety Office.* (a) Collects, evaluates, produces, and maintains technical intelligence on foreign ordnance matériel and on such other intelligence subjects as prescribed; disseminates intelligence within the Ordnance Corps.

(b) Processes the release of ordnance technical information to foreign governments in accordance with Department of the Army policy.

(c) Supervises the safeguarding of military information; processes security investigations; maintains accredited list of foreign representatives.

(d) Establishes ordnance policies and standards on all safety matters for which the Chief of Ordnance is responsible; evaluates the adequacy of the ordnance safety program.

(e) Formulates and supervises the execution of ordnance policies involving coordination (except matters relating to appropriations) either directly or through channels with the legislative branch of the Government.

(f) Coordinates all ordnance matters of the United States Army connected

with inquiries arising from congressional committee investigations.

(iv) *Office of Comptroller.* (*a*) Establishes policies and procedures for the Chief of Ordnance relative to:

(*1*) Budgetary, fiscal, civilian payroll, cost, property, and financial inventory accounting matters.

(*2*) Contract pricing and contract price adjustment, compliance with regulations governing price stabilization.

(*3*) Contractor compliance with renegotiation statutes and regulations.

(*b*) Coordinates the preparation of Ordnance Corps budgets and their presentation and defense before higher authority and the Congress.

(*c*) Establishes Department of the Army policy concerning the determination and dissemination of prices of ordnance items of matériel.

(*d*) Analyzes contract prices for the Chief of Ordnance.

(*e*) Represents the Chief of Ordnance, through appropriate channels with the Office of Price Stabilization.

(*f*) Receives and allots funds in accordance with the approved ordnance program, United States Army.

(*g*) Collects accounts due the Ordnance Corps.

(*h*) Maintains fiscal records and prepares fiscal reports for the Chief of Ordnance.

(*i*) Audits and inspects fiscal accounts of the Ordnance Corps, except contract accounts.

(*j*) Administers the bonding, insurance, advance payment, and guaranteed loan activities of the Ordnance Corps.

(v) *Management Office.* (*a*) Plans, recommends, and evaluates programs of management improvement for the Ordnance Corps.

(*b*) Directs ordnance inspections and reports on the efficiency and economy of ordnance operations.

(*c*) Analyzes and conducts surveillance of organizational structure, functions, and administrative operations of the Ordnance Corps; performs administrative management consultant functions.

(*d*) Develops and applies Ordnance Corps statistical standards and methods; administers ordnance reports and forms control program; collects, analyzes, and presents statistical data.

(*e*) Determines the need for and conducts studies to improve the utilization of electrical accounting machines throughout the Ordnance Corps.

(*f*) Determines Ordnance Corps civilian personnel requirements, and allocates authorizations thereunder based on approvals of higher authority.

(*g*) Surveys the utilization of civilian manpower within the Ordnance Corps.

(vi) *Research and Development Division.* (*a*) Directs research and development of new and improved ordnance matériel and materials.

(*b*) Evaluates foreign and domestic intelligence as applied to ordnance matériel.

(*c*) Administers the Ordnance Technical Committee.

(*d*) Maintains and distributes the record of classification as to type of all ordnance equipment.

(*e*) Prepares and revises specifications for which the Ordnance Corps has custodianship, and coordinates and processes all specifications applicable to ordnance matériel.

(*f*) Determines technical necessity and adequacy of special purpose research, and development facilities, approves design of such facilities in accordance with AR 415-5 and AR 415-20.

(*g*) Prepares Research and Development Division aspects of mobilization plans.

(vii) *Industrial Division.* (*a*) Directs identification, procurement, production, production engineering, inspection, and acceptance of ordnance matériel unless otherwise specifically assigned.

(*b*) Approves technical instructions relating to the renovation and demilitarization of ammunition accomplished in ordnance installations.

(*c*) Prepares Industrial Division aspects of mobilization plans.

(*d*) Prepares price list of ordnance matériel.

(viii) *Field Service Division.* (*a*) Directs:

(*1*) Receipt, storage, maintenance, surveillance and/or inspection, issue, and distribution of all items of ordnance issue under the control of the Chief of Ordnance.

(*2*) Overhaul, rebuild, and modification or ordnance general supplies in ordnance class II installations and activities.

(*3*) Disposition of excess, surplus, and unserviceable items of ordnance issue.

(*4*) Renovation, demilitarization, and modification of ammunition at ordnance class II installations.

(*5*) Performance of all ordnance supply control functions.

(*6*) Preservation, packaging, and packing of all ordnance matériel.

(*7*) Performance of field maintenance of ordnance matériel at class II installations where facilities permit.

(*b*) Prepares and supervises preparation of assigned ordnance-sponsored Department of the Army technical publications.

(*c*) Approves the design of facilities for storage of ammunition throughout the Army.

(*d*) Determines technical necessity and adequacy of special purpose field service facilities, approves design of such facilities in accordance with AR 415-5 and AR 415-20.

(*e*) Initiates corrective action as a result of malfunctions and unsatisfactory performance reported by users of ordnance matériel.

(*f*) Prepares Field Service Division aspects of mobilization plans.

(ix) *Personnel and Training Division.* (*a*) Administers military personnel program including all ordnance training activities for the regular establishment and the civilian components.

(*b*) Administers civilian personnel program including position classification, wage and salary administration, employee relations, employee training, labor relations (ordnance employees as distinguished from contractor employees), placements, performance evaluation, and preparation of regulations and procedures.

(*c*) Prepares ordnance personnel and training aspects of mobilization and logistical plans.

(*d*) Prepares ordnance mobilization logistical studies and ordnance mobilization troop bases.

(*e*) Prepares Ordnance Corps mobilization policy; reviews and coordinates all mobilization planning activities common to more than one division or staff office of the Office, Chief of Ordnance, and compiles the Ordnance Annex to Army Mobilization Plan.

(*f*) Recommends, for the Chief of Ordnance, action to be taken on cases involving disaffected and subversive personnel of the Ordnance Corps.

(*g*) Prepares or reviews ordnance tables of organization and equipment and ordnance field manuals.

(*h*) Maintains liaison between Office, Chief of Ordnance, and the Ordnance Board.

* * * * *

[SEAL] WM. E. BERGIN,
Major General, U. S. Army,
The Adjutant General.

[F. R. Doc. 52-4110; Filed, Apr. 10, 1952; 8:45 a. m.]

DEPARTMENT OF AGRICULTURE

Production and Marketing Administration

COLUMBIA LIVESTOCK MARKET

DEPOSTING OF STOCKYARD

It has been ascertained that the Columbia Livestock Market, Columbia, Tennessee, originally posted on August 31, 1936, as being subject to the Packers and Stockyards Act, 1921, as amended (7 U. S. C. 181 et seq.), no longer comes within the definition of a stockyard under said act for the reason that it is no longer being conducted or operated as a public livestock market. Therefore, notice is given to the owner of such stockyard and to the public that such stockyard is no longer subject to the provisions of said act.

Notice of public rule making has not preceded promulgation of the foregoing rule since it is found that the giving of such notice would prevent the due and timely administration of the Packers and Stockyards Act and would, therefore, be impractical. There is no legal warrant or justification for not depositing promptly a stockyard which is no longer being conducted or operated as a public livestock market and is, therefore, no longer a stockyard within the definition contained in said act.

The foregoing rule is in the nature of a rule granting an exemption or relieving a restriction and, therefore, may be made effective in less than 30 days after publication thereof in the FEDERAL REGISTER. This notice shall become effective upon publication in the FEDERAL REGISTER.

(42 Stat. 159, as amended and supplemented; 7 U. S. C. 181 et seq.)

Done at Washington, D. C., this 8th day of April 1952.

[SEAL] H. E. REED,
Director, Livestock Branch, Production and Marketing Administration.

[F. R. Doc. 52-4144; Filed; Apr. 10, 1952; 8:57 a. m.]

LAGRANDE LIVESTOCK COMMISSION CO.

DEPOSTING OF STOCKYARD

It has been ascertained that the LaGrande Livestock Commission Company, LaGrande, Oregon, originally posted on February 18, 1941, as being subject to the Packers and Stockyards Act, 1921, as amended (7 U. S. C. 181 et seq.), no longer comes within the definition of a stockyard under said act for the reason that it no longer meets the area requirements. Therefore, notice is given to the owner of such stockyard and to the public that such stockyard is no longer subject to the provisions of said act.

Notice of public rule making has not preceded promulgation of the foregoing rules since it is found that the giving of such notice would prevent the due and timely administration of the Packers and Stockyards Act and would, therefore, be impractical. There is no legal warrant or justification for not deposting promptly a stockyard which no longer meets the area requirements of the act and is, therefore, no longer a stockyard within the definition contained in said act.

The foregoing rule is in the nature of a rule granting an exemption or relieving a restriction and, therefore, may be made effective in less than 30 days after publication thereof in the FEDERAL REGISTER. This notice shall become effective upon publication in the FEDERAL REGISTER.

(42 Stat. 159, as amended and supplemented; 7 U. S. C. 181 et seq.)

Done at Washington, D. C., this 8th day of April 1952.

[SEAL] H. E. REED,
Director, Livestock Branch, Production and Marketing Administration.

[F. R. Doc. 52-4145; Filed, Apr. 10, 1952; 8:57 a. m.]

DEPARTMENT OF COMMERCE

Federal Maritime Board and Maritime Administration

[No. S-27]

INVESTIGATION OF POOLING AND SAILING AGREEMENTS

NOTICE OF RULINGS ON MOTIONS

Investigation of Pooling and Sailing Agreements Nos. 7549, 7616, 7792, 7795 and 7796, as amended.

Upon motion of respondents herein, the Board, on March 17, 1952, held a preliminary hearing upon the issues and procedure in this matter, and has ruled as follows:

(1) The basic questions of law as to whether a pooling agreement affects competition within the meaning of the Merchant Marine Act, 1936, being mixed with questions of fact, should not be determined by the Board before any hearing is assigned on the factual issues.

(2) The issues stated in the Board's notice herein, which appeared in the FEDERAL REGISTER of August 11, 1951 (16 F. R. 7949), should be, and they are hereby, recast as follows:

(a) Substitute for Paragraph 2 of said notice the following:

2. If so, whether the Board is required as a matter of law, to consider under sections 603 (b) and 606 of the Merchant Marine Act, 1936, as amended, such elimination or diminution of competition in computing the amount of operating-differential subsidy to be granted to American-flag operators signatory to such agreements.

(b) Substitute for Paragraph 4 of said notice the following:

4. Whether, if the Board is not required, as a matter of law, to consider such elimination or diminution of competition, if any, in such computation under sections 603 (b) and 606 of the act, it should nevertheless so consider the same in the exercise of sound administrative discretion.

(3) The question whether separate hearings should be held on each of the agreements covered in this docket should be raised by motion of the interested party, subject to ruling by the Presiding Officer.

(4) The Board will not promulgate special rules of practice or other simplified procedure, for the purpose of expediting final determination of the issues. This ruling is, however, without prejudice to any expediting procedure which may be agreed upon by the parties with the approval of the Presiding Officer.

Dated: April 7, 1952.

By order of the Federal Maritime Board.

By order of the Maritime Administrator.

[SEAL] A. J. WILLIAMS,
Secretary, Federal Maritime Board and Maritime Administration.

[F. R. Doc. 52-4141; Filed, Apr. 10, 1952; 8:56 a. m.]

National Production Authority

[Suspension Order 8; Docket No. 10]

VICTOR INDUSTRIES CORP., ET AL.

SUSPENSION ORDER

In the matter of Victor Industries Corporation, Joel Kronman, as President of Victor Industries Corporation and individually, and Victor Muscat, as Secretary and Treasurer of Victor Industries Corporation and individually.

A hearing having been held in the above entitled matter on the 21st day of March 1952, before James M. Fawcett, a Hearing Commissioner of the National Production Authority, on a statement of charges made by the General Counsel, National Production Authority, in accordance with the National Production Authority General Administrative Order 16-06 (16 F. R. 8628), dated July 21, 1951, and Implementation 1 to National Production Authority General Administrative Order 16-06 (16 F. R. 8799), dated August 30, 1951; and

The respondents, Victor Industries Corporation, Joel Kronman, as President of Victor Industries Corporation and individually, and Victor Muscat as Secretary and Treasurer of Victor Industries Corporation and individually, having been duly apprised of the specific violations charged and the administrative action which may be taken, and having been fully informed of the rules and procedures which govern these proceedings; and

The respondents having filed an Answer herein, denying each and every charge in said statement of charges, and the National Production Authority being represented by William E. Kennedy, Assistant Regional Counsel, and the respondents being represented by Henry W. Pollock, Isaac M. Levinson, and David Groberg, and evidence and testimony having been presented by the National Production Authority in support of the statement of charges, and the respondents having presented evidence and testimony in opposition to the statement of charges, it is hereby determined:

Findings of Fact. 1. The corporate respondent herein, Victor Industries Corporation, committed acts prohibited by National Production Authority Order M-27, section 101.4, dated January 27, 1951, in that the aforementioned respondent, during the period March 1, 1951, to May 31, 1951, used in the manufacture of collapsible tubes, 25,593 pounds of aluminum more than was permitted by said section of National Production Authority Order M-27.

2. The individual respondents herein committed acts prohibited by National Production Authority Order M-27, section 101.4, dated January 27, 1951, in that the said individual respondents, owning, dominating, managing, and controlling the corporate respondent during the time the alleged violations were committed, directed and supervised the commission of the aforementioned violations.

Conclusion. During the period beginning March 1, 1951, and ending May 31, 1951, the respondents herein, Victor Industries Corporation, Joel Kronman, as President of Victor Industries Corporation and individually, and Victor Muscat, as Secretary and Treasurer of Victor Industries Corporation and individually, violated the provisions of National Production Authority regulations, orders, and directives as hereinabove cited, by using 25,593 pounds of aluminum more than they were authorized or permitted by said provisions.

In order to correct the unauthorized use of aluminum occasioned by the violations found herein and in order to prevent future violations of the National Production Authority's regulations, or-

ders, and directives by these respondents, *It is accordingly ordered:*

1. That all priority assistance be withdrawn and withheld from Victor Industries Corp., its successors and assigns, Joel Kronman, and Victor Muscat, for a period of three (3) months commencing April 1, 1952.

2. That all allocations and allotments of material be withdrawn and withheld from Victor Industries Corp., its successors and assigns, Joel Kronman, and Victor Muscat, for a period of three (3) months commencing April 1, 1952.

3. That the use of aluminum in the manufacture of collapsible tubes authorized to Victor Industries Corp., its successors and assigns, Joel Kronman, and Victor Muscat, pursuant to National Production Authority Order M-27, amendments and directives thereto, during the three (3) month period commencing April 1, 1952, be reduced to 20 percent of the permitted use under said order.

4. That Victor Industries Corp. will immediately notify all suppliers from whom it has ordered any aluminum intended to be used in the manufacture of collapsible tubes and scheduled for delivery against their second quarter allotment of 1952, which has not yet been shipped by said suppliers to Victor Industries Corp., that such orders shall be canceled forthwith. Victor Industries Corp. will return to the National Production Authority all second quarter 1952 allotments of aluminum given for the manufacture of collapsible tubes.

Issued this 26th day of March 1952.

THE NATIONAL PRODUCTION AUTHORITY,
By JAMES M. FAWCETT,
Hearing Commissioner.

[F. R. Doc. 52-4217; Filed, Apr. 10, 1952; 11:44 a. m.]

DEFENSE PRODUCTION ADMINISTRATION

[D. P. A. Request No. 30—DPAV-28]

REQUEST TO PARTICIPATE IN FORMATION AND ACTIVITIES OF A J-47 PRODUCTION COMMITTEE

Pursuant to section 708 of the Defense Production Act of 1950, as amended, the request set forth below to participate in the formation and activities of a J-47 production committee in accordance with the voluntary plan entitled "Plan for the Formation of a J-47 Production Committee," dated October 29, 1951, was approved by the Attorney General after consultations with respect thereto between the Attorney General, the Chairman of the Federal Trade Commission, and the Administrator of the Defense Production Administration, and was accepted by the companies listed below.

The voluntary plan provides for the formation and operation of a J-47 production committee and will facilitate the exchange of information relative to J-47 engines between all participating companies and generally will provide for the close cooperation in the solution of production problems. This voluntary plan has been approved by the Administrator of the Defense Production Administration and found to be in the public interest as contributing to the national defense.

CONTENTS OF REQUEST

You are requested to participate with the Air Force in the formation and activities of a J-47 production committee in accordance with the voluntary plan entitled "Plan for the Formation of a J-47 Production Committee," dated October 29, 1951, a copy of which is herewith enclosed.

In my opinion, your participation in the formation and activities of this committee will greatly assist in the accomplishment of our national defense program.

The Attorney General has approved this request after consultations with respect to this matter between his representatives, representatives of the Chairman of the Federal Trade Commission, and my representatives, pursuant to section 708 of the Defense Production Act of 1950, as amended.

I approve the voluntary plan and find it to be in the public interest as contributing to the national defense. You will become a participant therein upon notifying me in writing of your acceptance of this request. Immunity from prosecution under the Federal antitrust laws and the Federal Trade Commission Act will be given upon such acceptance, provided that the activities of the J-47 production committee and your participation therein are within the limits set forth in the voluntary plan. However, the rights and obligations of the parties under the contracts between General Electric Company and Packard Motor Car Company and between General Electric Company and Studebaker Corporation, referred to in the footnote on page 3 thereof, are outside its scope and, accordingly, this immunity is not given with respect to these contracts or for any acts arising therefrom.

Your cooperation in this matter will be appreciated.

Sincerely yours,

MANLY FLEISCHMANN,
Administrator.

LIST OF COMPANIES ACCEPTING REQUEST TO PARTICIPATE

General Electric Co., 1 River Road, Schenectady, N. Y.

The Studebaker Corp., 635 South Main Street, South Bend, Ind.

Packard Motor Car Co., 1580 East Grand Boulevard, Detroit 32, Mich.

(Sec. 708, 64 Stat. 818, Pub. Law 96, 82d Cong.; 50 U. S. C. App. Sup. 2158; E. O. 10200, Jan. 3, 1951, 16 F. R. 61)

Dated: April 9, 1952.

MANLY FLEISCHMANN,
Administrator.

[F. R. Doc. 52-4216; Filed, Apr. 10, 1952; 11:44 a. m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket No. 9552]

THEATER TELEVISION SERVICE

POSTPONEMENT OF HEARING

APRIL 7, 1952.

Because of the pressure of other business, the hearing in the Theater Television proceeding (Docket 9552) now scheduled for May 5, 1952, has been indefinitely postponed by the Commission. The Commission will announce, as soon as possible, a new date for the hearing.

Adopted: April 4, 1952.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 52-4130; Filed, Apr. 10, 1952; 8:54 a. m.]

FEDERAL POWER COMMISSION

[Docket Nos. E-6408, E-6409]

MAINE PUBLIC SERVICE CO.

NOTICE OF ORDER AUTHORIZING TRANSMISSION OF ELECTRIC ENERGY TO CANADA AND APPROVING CHANGES IN OPERATIONS UNDER PRESIDENTIAL PERMIT

APRIL 7, 1952.

Notice is hereby given that on April 4, 1952, the Federal Power Commission issued its order entered April 1, 1952, authorizing transmission of electric energy to Canada and approving changes in operations under Presidential Permit in the above-entitled matters.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 52-4111; Filed, Apr. 10, 1952; 8:45 a. m.]

[Docket No. E-6413]

MAINE PUBLIC SERVICE CO. AND FRASER PAPER, LTD.

NOTICE OF ORDER APPROVING PERMANENT CONNECTION FOR EMERGENCY USE ONLY AND SUPERSEDING PREVIOUS AUTHORIZATION

APRIL 7, 1952.

Notice is hereby given that on April 4, 1952, the Federal Power Commission issued its order entered April 1, 1952, approving permanent connection for emergency use only and superseding previous authorization in the above-entitled matter.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 52-4112; Filed, Apr. 10, 1952; 8:45 a. m.]

[Docket No. E-6415]

GULF STATES UTILITIES CO.

NOTICE OF ORDER AUTHORIZING ISSUANCE OF SECURITIES

APRIL 7, 1952.

Notice is hereby given that on April 1, 1952, the Federal Power Commission issued its order entered April 1, 1952, authorizing issuance of securities in the above-entitled matter.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 52-4113; Filed, Apr. 10, 1952; 8:45 a. m.]

[Docket No. G-585]

ALABAMA-TENNESSEE NATURAL GAS CO.

ORDER POSTPONING DATE FOR ORAL ARGUMENT

APRIL 7, 1952.

Due to a conflict in assignments of staff members in various proceedings now in progress before the Commission, good cause exists for postponing until April 10, 1952, the oral argument in the above-docketed proceeding now scheduled to be held before the Commission on April 9, 1952.

The Commission orders: The oral argument in the above-docketed proceeding now scheduled to be held on April 9, 1952, be and it is hereby postponed until April 10, 1952, at 10:00 a. m. in Hearing Room "A" of the Interstate Commerce Commission, Twelfth and Constitution Avenue NW., Washington, D. C.

Date of issuance: April 7, 1952.

By the Commission.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 52-4124; Filed, Apr. 10, 1952; 8:52 a. m.]

[Docket No. G-1277]

TRANSCONTINENTAL GAS PIPE LINE CORP.

NOTICE OF SECOND PETITION TO AMEND

APRIL 7, 1952.

Take notice that Transcontinental Gas Pipe Line Corporation (Transcontinental), a Delaware corporation, having its principal place of business at Houston, Texas, filed on March 31, 1952, a petition for a temporary amendment of the order dated April 28, 1950, issuing a certificate of public convenience and necessity in the above-entitled proceeding.

The Commission by order issued December 6, 1951, reopened the proceedings in Docket No. G-1277 for the purpose of determining the disposition of 64,000 Mcf per day of natural gas heretofore authorized for delivery to Northeastern Gas Transmission Company. A public hearing was commenced on March 24, 1952, in the reopened proceedings.

Pending a final determination by the Commission in the reopened proceedings, Transcontinental seeks authority, by its petition, to increase the maximum daily deliveries authorized by the Commission's order of April 28, 1950, to the following companies in the amounts indicated:

	Mcf
Consolidated Edison Co	19,000
The Brooklyn Union Gas Co	16,000
Public Service Electric & Gas Co	8,500
Philadelphia Electric Co	10,000
Long Island Lighting System	1,500
Total	55,000

Transcontinental proposes to make such deliveries on an interim basis in accordance with its filed rate schedule CD-2.

The petition is on file with the Commission for public inspection. Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10) on or before the 24th day of April 1952.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 52-4125; Filed, Apr. 10, 1952; 8:52 a. m.]

[Docket No. G-1895]

EL PASO NATURAL GAS CO.

NOTICE OF FINDINGS AND ORDER

APRIL 7, 1952.

Notice is hereby given that on April 4, 1952, the Federal Power Commission issued its order entered April 3, 1952, issuing a certificate of public convenience and necessity in the above-entitled matter.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 52-4114; Filed, Apr. 10, 1952; 8:46 a. m.]

[Project No. 696]

UTAH POWER & LIGHT CO.

NOTICE OF APPLICATION FOR AMENDMENT OF LICENSE

APRIL 7, 1952.

Public notice is hereby given pursuant to the provisions of the Federal Power Act (16 U. S. C. 791a-825r) that Utah Power and Light Company of Salt Lake City, Utah, has made application for amendment of License for constructed Project No. 696 located in Utah County, Utah, affecting lands of the United States within the Wasatch National Forest on American Fork Creek. The licensee seeks authorization to make the following changes at the upper American Fork Plant; to replace the existing flow line with a 28-inch welded steel pipe; rebuild the 1,000-horsepower water wheel of Unit No. 2 to a rated capacity of 1,260 horsepower; install a new armature in the generator of Unit No. 2, which will change the capacity of the generator from 600 kw. to 870 kw.; and to retire and dismantle Unit No. 1.

Any protest against approval of this application or request for hearing thereon, with reasons for such protest or request, and address of the party or parties so protesting or requesting should be submitted on or before the 5th day of May 1952 to the Federal Power Commission, Washington 25, D. C.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 52-4126; Filed, Apr. 10, 1952; 8:53 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 54-202]

ALABAMA POWER CO. ET AL.

NOTICE REGARDING PLAN OF MERGER AND ORDER FOR HEARING WITH RESPECT THERETO

APRIL 7, 1952.

In the matter of Alabama Power Company, Birmingham Electric Company, The Southern Company; File No. 54-202.

Notice is hereby given that Alabama Power Company ("Alabama"), an exempt registered holding company and a public utility subsidiary of The Southern Company ("Southern"), a registered holding company, and Birmingham Electric Company ("Birmingham"), a public utility subsidiary of Alabama and of Southern, have filed an application for approval of a plan of merger under section 11 (e) of the act for compliance with section 11 (b) thereof. The plan has been joined in by Southern to the extent necessary to permit consummation of the plan.

By order dated August 24, 1950 (Holding Company Act Release No. 10055), this Commission permitted Southern to acquire from a nonaffiliated holding company 46.6 percent of the outstanding common stock of Birmingham, and to offer to acquire, and acquire, the remaining common stock which was all publicly held. The basis for such acquisitions was the exchange of 1½ shares of Southern common stock for each share of Birmingham common stock. Said order also permitted the transfer of all shares of Birmingham common stock acquired by Southern to Alabama. In addition, the order permitted Alabama to offer to exchange, and exchange, its 4.20 percent preferred stock for the 4.20 percent preferred stock of Birmingham, all of which was publicly held, on a share for share basis.

The acquisitions of the Birmingham preferred and common stocks by Alabama were permitted because the Commission found, inter alia, that the properties of the two companies were particularly adaptable to physical integration with concommittant operating economies, and because of the contemporaneous proposals of Alabama to remedy, by subsequent merger or consolidation of the two companies, any violation of section 11 of the act which might result from the continued existence of an unexchanged minority holding of the Birmingham common stock.

Pursuant to the authorization granted by said order of August 24, 1950, and Rule U-40 (a) (6) under the act, Alabama, as at December 31, 1951, had acquired 534,152 shares of Birmingham's common stock, and 55,606 shares of Birmingham's preferred stock, leaving outstanding in the hands of the public 11,458 shares and 8,394 shares of such stocks, respectively.

It is now proposed that Birmingham will be merged into Alabama pursuant to a merger agreement between the two companies. Said agreement provides

that at any time prior to December 15, 1958, there will be exchanged for each of the 8,394 publicly held shares of Birmingham's 4.20 percent preferred stock one share of the 4.20 percent preferred stock of Alabama, and that for each of the publicly held 11,458 shares of Birmingham common stock there will be paid $20.25 in cash or, at the election of the holders of such shares who surrender the same prior to December 15, 1952, each of such shares will be exchanged for 1½ shares of Southern common stock. No fractional shares of Southern common stock will be issued, but in lieu thereof a cash adjustment will be made predicated on a price of $13.50 per whole share of Southern common stock.

Under the terms of the merger agreement, on and after December 15, 1958, the holders of the preferred and common stocks of Birmingham who have not surrendered their certificates will cease to have any rights or claims against Birmingham, Alabama, or any other person, on account of, or with respect to, the shares represented by such certificates.

The merger agreement also provides that Alabama will assume all the debts, liabilities and duties of Birmingham; that all of Birmingham's property will be vested in the consolidated corporation; and that each share of the common stock and the 4.20 percent preferred stock and the 4.60 percent preferred stock of Alabama will continue to be, respectively, one share of common stock, one share of 4.20 percent preferred stock, and one share of 4.60 percent preferred stock of Alabama without any action with respect thereto by the holders thereof. No provision is made for any right to compel Alabama to pay to any dissenting shareholder the appraised market value of his shares.

It is also provided that the merger agreement shall become effective upon approval of the plan by order of a District Court of the United States. However, in order that the filing of such merger agreement with the Secretary of State of the State of Alabama may be made in conformity with the applicable state statutes, it is proposed, following the approval of the plan by the Commission, to submit the merger agreement to the stockholders of the merging corporations for their approval.

It is also proposed that Southern and Alabama will enter into an agreement under which Southern will issue the number of shares of its common stock necessary to effectuate exchanges for the Birmingham common stock and that such shares of Birmingham's common stock as are acquired by Southern will be converted into additional shares of common stock of Alabama to be held by Southern.

The plan provides that Alabama will pay such fees and expenses in connection therewith as may be finally determined, awarded or allowed by the Commission. It also provides for various notices to be given the Birmingham shareholders of their rights to distributions under the plan and of the termination of all their rights after December 15, 1958; and further provides for employment of agents to locate security holders not surrendering their securities under the plan.

The plan is conditioned, among other things, upon the Commission making the necessary findings, recitals and order, if requested by Alabama, to comply with sections 371 (f) and 1808 (f) of the Internal Revenue Code.

Alabama requests the Commission to apply to a District Court of the United States to enforce and carry out the terms of the plan.

The Commission being required by the provisions of section 11 (e) of the act, before approving any plan submitted thereunder, to find after notice and opportunity for hearing that the plan as submitted, or as thereafter amended, is necessary to effectuate the provisions of section 11 (b), and is fair and equitable to the persons affected thereby; and

It appearing appropriate to the Commission that notice be given and a hearing be held upon said plan, to afford all interested persons an opportunity to be heard with respect thereto:

It is ordered, That a hearing on said plan be held on April 24, 1952, at 10:00 a. m., at the offices of the Commission, 425 Second Street NW., Washington 25, D. C. On such date, the Hearing Room Clerk in Room 193 will advise as to the room in which such hearing will be held. Any person desiring to be heard or otherwise wishing to participate in the proceedings, is directed to file with the Secretary of the Commission on or before April 22, 1952, a written request relative thereto as provided by Rule XVII of the Commission's rules of practice.

It is further ordered, That Edward C. Johnson or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearing in such matter. The officer so designated is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said act and to a hearing officer under the Commission's rules of practice.

The Division of Public Utilities of the Commission having advised the Commission that it has made a preliminary examination of the plan and that, upon the basis thereof, the following matters and questions are presented for consideration without prejudice to its specifying additional matters and questions upon further examination:

(1) Whether the plan, as submitted or as it may be amended, is necessary to effectuate the provisions of section 11 (b) of the act and is fair and equitable to the persons affected thereby; including the stockholders of Birmingham, Alabama, and Southern;

(2) Whether the bases of exchange and surrender of securities proposed in the plan are fair and equitable, and in particular whether the amounts of cash and securities to be offered by Alabama in exchange for securities of Birmingham should be increased or decreased;

(3) Whether and to what extent the plan, as submitted or as it may be amended, should be modified, or terms and conditions imposed, to ensure adequate protection of the public interest and the interest of investors and consumers, and to prevent the circumvention of the act and rules and regulations thereunder;

(4) Whether the accounting entries in connection with the proposed transactions are appropriate and in accordance with sound accounting principles;

(5) Whether the fees, expenses, or other remunerations to be paid in connection with the proposed transactions are for necessary services and are reasonable in amount;

(6) Generally whether the transactions proposed in such plan comply with the requirements of the applicable provisions of the act and rules promulgated thereunder;

It is further ordered, That particular attention be directed at said hearing to the foregoing matters and questions.

It is further ordered, That the Secretary of the Commission shall serve notice of the aforesaid hearing by mailing copies of this order by registered mail to Alabama, Birmingham, and Southern, to the Federal Power Commission, the Alabama Public Service Commission, and the Mayor of Birmingham, Alabama; that notice shall be given to all other persons by general release of this Commission which shall be distributed to the press and mailed to the persons on the mailing list of this Commission for releases under the act, and that further notice be given to all persons by publication of this notice and order in the FEDERAL REGISTER.

It is further ordered, That Alabama and Birmingham shall give notice of this hearing to all of their stockholders (insofar as the identity of such stockholders is known or available to them) by mailing to each of said persons at his last known address, at least 12 days before the date set for hearing, a copy of this notice and order.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary*.

[F. R. Doc. 52-4116; Filed, Apr. 10, 1952; 8:48 a. m.]

[File No. 70-2819]

THE COLUMBIA GAS SYSTEM, INC.

ORDER AUTHORIZING ISSUANCE AND SALE AT COMPETITIVE BIDDING OF PRINCIPAL AMOUNT OF DEBENTURES

APRIL 7, 1952.

The Columbia Gas System, Inc., ("Columbia"), a registered holding company, having filed a declaration and an amendment thereto with this Commission pursuant to sections 6 and 7 of the Public Utility Holding Company Act of 1935, and Rule U-50 promulgated thereunder with respect to the following transaction:

Columbia proposes to issue and sell, pursuant to the competitive bidding requirements of Rule U-50, $60,000,000 principal amount of __ percent Debentures, Series C due 1977. Said debentures would be issued under an Indenture dated June 1, 1950, as supplemented by the First Supplemental Indenture dated August 1, 1950, and a Second Sup-

plemental Indenture to be dated April 1, 1952.

The proceeds from the sale of said debentures will be used to finance a large part of the Columbia System's 1952 construction program and to repay $20,000,000 of Columbia's short-term notes maturing June 15, 1952. In that connection, Columbia states that the 1952 construction program for the system contemplates expenditures of approximately $75,000,000 together with approximately $3,000,000 for the purchase of "cushion" gas for additional storage. In addition to the $60,000,000 to be raised through the proposed sale of debentures, Columbia states that it will be necessary to raise $18,000,000 later in 1952. However, the method of financing such latter amount has not yet been determined.

Columbia has requested that the 10-day period for inviting bids, as provided by Rule U-50 (b) be shortened so as to permit the opening of bids on April 15, 1952.

Appropriate notice of said declaration having been given in the form and manner prescribed by Rule U-23 promulgated pursuant to said act, and the Commission not having received a request for a hearing with respect to said declaration, as amended, within the period specified, or otherwise, and not having ordered a hearing thereon; and

The Commission finding with respect to said declaration, as amended, that the requirements of the applicable provisions of the act and rules thereunder are satisified, that no adverse findings are necessary thereunder and deeming it appropriate in the public interest and in the interest of investors and consumers that the said declaration, as amended, be permitted to become effective.

It is ordered, Pursuant to Rule U-23 and the applicable provisions of the act, that said declaration, as amended, be, and the same hereby is, permitted to become effective forthwith, subject to the terms and conditions prescribed in Rule U-24 and to the further condition that the proposed issuance and sale of the debentures shall not be consummated until the results of competitive bidding, pursuant to Rule U-50, have been made a matter of record herein, and a further order shall have been entered with respect thereto, which order shall contain such further terms and conditions as may be deemed appropriate, for which purpose jurisdiction be, and the same hereby is, reserved.

It is further ordered, That jurisdiction be, and the same hereby is, reserved over all fees and expenses to be incurred in connection with the proposed transaction.

It is further ordered, That the 10-day period for inviting bids, as provided by Rule U-50 (b), be, and hereby is, shortened so as to permit the opening of bids on April 15, 1952.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary*.

[F. R. Doc. 52-4115; Filed, Apr. 10, 1952; 8:47 a. m.]

[File No. 70-2831]

UNION ELECTRIC CO. OF MISSOURI

NOTICE OF FILING FOR PERMISSION TO ISSUE AND SELL BONDS AT COMPETITIVE BIDDING

APRIL 7, 1952.

Notice is hereby given that an application-declaration and an amendment thereto have been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 ("act") by Union Electric Company of Missouri ("Union"), a registered holding company and an electric utility subsidiary of The North American Company, also a registered holding company. The applicant-declarant has designated sections 6 (b) or 6 (a) and 7 of the act and Rules U-23 and U-50 thereunder as applicable to the proposed transactions.

Notice is further given that any interested person may, not later than April 18, 1952, at 5:30 p. m., request the Commission in writing that a hearing be held on such matter, stating the reasons for such request, the nature of his interest and the issues of fact or law raised by said application-declaration, as amended, which he desires to controvert, or may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C. At any time thereafter said application-declaration, as filed or as further amended, may be granted and permitted to become effective as provided in Rule U-23 of the rules and regulations promulgated under the act, or the Commission may exempt such transactions as provided in Rule U-20 (a) and Rule U-100 thereof.

All interested persons are referred to said application-declaration, as amended, which is on file in the office of this Commission for a statement of the transactions therein proposed which are summarized as follows:

Union proposes to issue and sell at competitive bidding, pursuant to the provisions of Rule U-50, $30,000,000 principal amount of First Mortgage and Collateral Trust Bonds, __ percent Series due 1982. The bonds are to be issued under and secured by a Mortgage and Deed of Trust dated June 15, 1937, as supplemented from time to time since such date and to be further supplemented by a Supplemental Indenture to be dated May 1, 1952. The interest rate on the bonds (which shall be a multiple of ⅛ of 1 percent) and the price, exclusive of accrued interest, to be paid to the company (which shall not be less than 100 percent or more than 102.75 percent of the principal amount of said bonds) are to be determined by competitive bidding.

The application-declaration, as amended, states that the proceeds to be received from the sale of the bonds are to be used by Union, in part, to retire up to $14,500,000 face amount of outstanding promissory notes which were issued to finance temporarily part of the system's construction program and the balance will be expended to finance, in part, the system's construction program during 1952.

Applicant-declarant requests that the Commission's order herein be issued so as to permit the invitation of bids by April 22, 1952, that such order become effective upon issuance, and that the ten-day notice for invitation of bids required by Rule U-50 (b) be shortened to seven days.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary*.

[F. R. Doc. 52-4118; Filed, Apr. 10, 1952; 8:49 a. m.]

[File No. 70-2839]

NEW ENGLAND ELECTRIC SYSTEM

NOTICE OF FILING RELATING TO PROPOSED ISSUANCE AND SALE OF COMMON STOCK

APRIL 7, 1952.

Notice is hereby given that a declaration has been filed by New England Electric System ("NEES"), a registered holding company, pursuant to the Public Utility Holding Company Act of 1935. NEES has designated sections 7 and 12 of the act and Rules U-23, U-42 and U-50 promulgated thereunder as applicable to the proposed transactions, which are summarized as follows:

NEES proposes to issue and sell, for cash, 920,573 additional common shares having a par value of $1 per share. NEES proposes to send to its common shareholders a single form of transferable warrant under which such shareholders may subscribe, within a period of not less than 15 days, for said new common shares on the basis of one share for each eight shares held on the record date which will be the effective date of the registration statement filed with this Commission in connection with such issue and sale. Such shareholders may subscribe for the new shares at a price to be fixed by the successful underwriters as the price to be paid to NEES for the unsubscribed shares. No fractional shares will be issued. Warrants in excess of those necessary to subscribe for full shares may be sold or additional warrants may be purchased in order to enable the holder of warrants to subscribe to full shares of the new common stock.

The proposed issuance and sale of said new common shares will be made pursuant to the competitive bidding requirements of Rule U-50 under the act. Each bid will specify the price to be paid to NEES for the unsubscribed shares and the aggregate amount to be paid by NEES to the underwriters for their commitments and obligations in connection with the purchase of the unsubscribed shares.

NEES requests authority, during the two business days preceding and on the day which bids are opened, up to the time a bid is accepted or all bids are rejected, to stabilize the price of its common stock on the New York Stock Exchange, the Boston Stock Exchange and in the over-the-counter market by the purchase of its presently outstanding common shares in such amount as is deemed desirable at the time but in no

case in excess of 5 percent of the total amount of common shares proposed to be issued. Any common shares acquired by NEES in such stabilizing activities will be included in the amount to be offered to prospective underwriters at competitive bidding.

The cash proceeds to be derived from the proposed issue and sale of said additional common shares, after deducting expenses of the issuance, will be added to NEES' general funds and utilized by NEES in furtherance of the construction program of its subsidiary companies either through advances or the purchase of additional shares of their common stocks issued for the purposes of permanently financing construction expenditures. It is stated in the declaration that the subsidiary companies will use the proceeds received by them to reduce, or pay off in entirety, debt incurred for construction purposes or to pay for construction costs.

NEES has retained the services of The First Boston Corporation as financial adviser in connection with the proposed issuance and sale of said additional common shares and related matters and the fee for such services is estimated not to exceed $25,000 and the out-of-pocket expenses are estimated not to exceed $2,500. The total expenses in connection with the proposed issuance and sale of additional common shares is estimated not to exceed $185,000 and such total estimated expenses include $20,000 for incidental services performed at cost by New England Power Service Company, an affiliated service company.

The declaration indicates that no State commission or Federal commission, other than this Commission, has jurisdiction over the proposed transactions.

NEES has further requested that the Commission's order herein become effective forthwith upon issuance.

Notice is further given that any interested person may, not later than April 23, 1952, at 5:30 p. m., e. s. t., request the Commission in writing that a hearing be held on such matter stating the nature of his interest, the reason for such request and the issues of fact or law, if any, proposed to be controverted; or he may request that he be notified if the Commission should order a hearing thereon. At any time after said date, said declaration, as filed or as amended, may be permitted to become effective as provided in Rule U-23 of the rules and regulations promulgated under the act or the Commission may exempt such transactions as provided in Rule U-20 (a) and Rule U-100 thereof. Any such request should be addressed to: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 52-4117; Filed, Apr. 10, 1952; 8:48 a. m.]

ECONOMIC STABILIZATION AGENCY

Office of Price Stabilization

[Region VII, Redelegation of Authority No. 7, Revision 2]

DIRECTORS OF DISTRICT OFFICES, REGION VII

REDELEGATION OF AUTHORITY TO PROCESS REPORTS OF PROPOSED PRICE-DETERMINING METHODS UNDER SECTION 5, AND TO FIX CEILING PRICES UNDER SECTION 16 (b), OF CPR 67

By virtue of the authority vested in me as Director of the Regional Office of the Office of Price Stabilization, Region VII, pursuant to the provisions of Delegation of Authority No. 22, Revision 2, dated March 21, 1952 (17 F. R. 2508), this Revision 2 to Redelegation of Authority No. 7, Revision 1 (17 F. R. 870), is hereby issued:

1. Authority to act under section 5 of CPR 67. Authority is hereby redelegated to each of the District Directors of the Office of Price Stabilization in Region VII to approve, pursuant to section 5, CPR 67, a price-determining method for sales at wholesale or retail proposed by a reseller under CPR 67, disapprove such a proposed price-determining method, establish a different price-determining method, by order, or request further information concerning such a price-determining method.

2. Authority to act under section 16 (b) of CPR 67. Authority is hereby redelegated to each of the District Directors of the Office of Price Stabilization in Region VII to issue orders, pursuant to section 16 (b) of CPR 67, fixing ceiling prices for any person subject to this regulation who fails to keep the records, file the reports, and establish ceiling prices as required therein, or who fails to apply to the Office of Price Stabilization for the establishment of a ceiling price, if he is required to do so.

This Revision 2 to Redelegation of Authority No. 7, Revision 1, shall take effect April 9, 1952.

HYMAN RASKIN, *Director of Regional Office No. VII.*

APRIL 8, 1952.

[F. R. Doc. 52-4140; Filed, Apr. 8, 1952; 4:30 p. m.]

[Delegation of Authority 60]

REGIONAL DIRECTORS

DELEGATION OF AUTHORITY TO ACT UNDER CPR 135—BAKERS, WHOLESALE AND RETAIL DISTRIBUTORS OF FROZEN AND PERISHABLE BAKERY ITEMS

By virtue of the authority vested in me as Director of Price Stabilization pursuant to the Defense Production Act of 1950, as amended (64 Stat. 798, 65 Stat. 816), Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2, as amended (16 F. R. 738, 11626), this delegation of authority is hereby issued.

1. Authority is hereby delegated to the Directors of the Regional Offices of the Office of Price Stabilization:

(a) To fix ceiling prices upon application under sections 2.4 and 3.3 of Ceiling Price Regulation 135.

(b) To adjust ceiling prices under section 2.12 of Ceiling Price Regulation 135.

(c) To request, under section 4.3, further information concerning any ceiling price reported pursuant to the provisions of Ceiling Price Regulation 135, or concerning any application for a ceiling price made pursuant to the provisions of Ceiling Price Regulation 135.

(d) To disapprove or reduce at any time, under section 4.3, ceiling prices determined, reported or proposed under Ceiling Price Regulation 135.

2. The authority hereby delegated may be redelegated to the Directors of the District Offices of the Office of Price Stabilization.

This delegation of authority shall take effect on April 10, 1952.

ELLIS ARNALL, *Director of Price Stabilization.*

APRIL 10, 1952.

[F. R. Doc. 52-4224; Filed, Apr. 10, 1952; 4:00 p. m.]